

DEXTER VILLAGE COUNCIL

REGULAR MEETING

JANUARY 28, 1991

AGENDA

CALL TO ORDER 8:00 P.M. - FIRST OF AMERICA BUILDING, 8123 MAIN ST.

ROLL CALL

PUBLIC HEARING

1. RECREATION MASTER PLAN

APPROVAL OF MINUTES OF THE JANUARY 14, 1991 REGULAR MEETING

PRE-ARRANGED CITIZEN PARTICIPATION*

APPROVAL OF AGENDA

NON-ARRANGED CITIZEN PARTICIPATION**

COMMUNICATIONS

APPROVAL OF BILLS AND PAYROLL COSTS

REPORTS

SHERIFF

FIRE DEPARTMENT

STANDING COMMITTEES AND COMMISSIONS

1. PLANNING

2. PARKS

AD HOC COMMITTEES

VILLAGE MANAGER

ORDINANCES AND RESOLUTIONS

1. PLEDGE OF LIMITED TAX FULL FAITH AND CREDIT RESOLUTION (\$3.5M BOND ISSUE)
2. RESOLUTION AUTHORIZING FILING WITH TREASURY. (\$3.5M BOND ISSUE)
3. RESOLUTION TO CERTIFY A MAJOR STREET (DAN HOEY WEST AS REALIGNED).
4. RESOLUTION FOR DESIGNATION OF STREET ADMINISTRATOR.

OLD BUSINESS

1. RECREATION MASTER PLAN
3. SALARY ADJUSTMENT; SUPERINTENDENT OF PUBLIC WORKS (ON TABLE). *update-review of Superintendent Public Works*

NEW BUSINESS

1. APPROVAL OF ELECTION OFFICIALS; PRIMARY INSPECTORS.
2. FY 91/92 VILLAGE BUDGET PROPOSAL.
3. ESTABLISH FY 91/92 BUDGET WORK SESSION(S) AND PUBLIC HEARING.
4. DEXTER HISTORICAL SOCIETY REQUEST TO DISPLAY BANNER & SIGNS.
5. APPOINTMENTS TO LOCAL DEVELOPMENT FINANCE AUTHORITY (4-YEAR TERMS EXPIRING FEBRUARY 28, 1995).

PRESIDENT'S REPORT

ADJOURNMENT

*PRE-ARRANGED CITIZEN PARTICIPATION WILL BE LIMITED TO THOSE WHO NOTIFY THE VILLAGE MANAGER'S OFFICE BEFORE 5:00 P.M. THE THURSDAY PRECEDING THE MEETING STATING THEIR NAME AND INTENT.

**NON-ARRANGED CITIZEN PARTICIPATION WILL INCLUDE THOSE NOT LISTED ON THE PRINTED AGENDA WHO WISH TO SPEAK. THE VILLAGE PRESIDENT, AT HIS DISCRETION, MAY CALL ON MEMBERS OF THE AUDIENCE TO SPEAK AT ANY TIME.

DEXTER VILLAGE COUNCIL
REGULAR MEETING
JANUARY 28, 1991
8:00PM
FIRST OF AMERICA BANK BUILDING
8123 MAIN STREET

The meeting was called to order at 8:07PM by the President.

ROLL CALL

Present: Ritchie, Walters, Genske, Gregory, Baroni, Stacey, Yates

Absent: None

PUBLIC HEARING

1. Recreation Master Plan

The hearing opened at 8:10PM. There were no citizens who wished to speak. The hearing closed at 8:14PM.

APPROVAL OF MINUTES

Moved Genske, Support Stacey to approve the minutes of the January 14, 1991, regular meeting as presented.

Ayes: Ritchie, Walters, Genske, Gregory, Baroni, Stacey, Yates

Nays: None

Moved Ritchie, Support Genske to approve the minutes of the January 14, 1991, executive session as presented.

Ayes: Ritchie, Walters, Genske, Gregory, Baroni, Stacey, Yates

Nays: None

APPROVAL OF AGENDA

Moved Ritchie, support Stacey to approve the agenda as presented.

Moved Baroni, support Stacey to ammend the motion to include Update- Superintendent Review as item #2 under Old Business.

Ayes: Ritchie, Walters, Genske, Gregory, Baroni, Stacey, Yates

Nays: None

Vote on ammended motion-

Ayes: Ritchie, Walters, Genske, Gregory, Baroni, Stacey, Yates

Nays: None

COMMUNICATIONS

Council received copies of the quarterly recycling report which stressed the success of the project to date.

BILLS AND PAYROLL

Moved Stacey, support Genske to approve bills and payroll costs in the amount of \$54,097.25.

Ayes: Ritchie, Walters, Genske, Gregory, Baroni, Stacey, Yates

Nays: None

REPORTS

Sheriff-Cpl. Davis presented the month end and year end Sheriff's reports. Also addressed were items on the Dept's listed requests for improvements.

Standing Committees and Commissions-

Planning Commission-Council received written report.
(Copy attached)

Village Manager-Council received written report. (Copy attached)

ORDINANCES AND RESOLUTIONS

1. Pledge of limited tax full faith and credit resolution (3.5M Bond Issue)

Moved Baroni, support Walters to adopt the Pledge of Limited Tax Full Faith And Credit Resolution. (Copy attached)

Ayes: Ritchie, Walters, Genske. Gregory, Baroni, Stacey, Yates

Nays: None

2. Resolution Authorizing Filing With Treasury

Moved Baroni, support Ritchie to adopt the Resolution Authorizing Filing With Treasury. (Copy attached)

Ayes: Ritchie, Walters, Genske. Gregory, Baroni, Stacey, Yates

Nays: None

3. Resolution To Certify A Major Street (Dan Hoey West As Realigned)

Moved Ritchie, support Genske to adopt the Resolution To Certify A Major Street (Dan Hoey West As Realigned)

Ayes: Ritchie, Walters, Genske. Gregory, Baroni, Stacey, Yates

Nays: None

4. Resolution For Designation Of Street Administrator

Moved Ritchie, support Stacey to adopt the Resolution For Designation Of Street Administrator naming James M. Palenick as said administrator.

Ayes: Ritchie, Walters, Genske. Gregory, Baroni, Stacey, Yates

Nays: None

OLD BUSINESS

1. Recreation Master Plan

Moved Baroni, support Walters to adopt the proposed Village Of Dexter Five Year Recreation Master Plan.

Ayes: Ritchie, Walters, Genske. Gregory, Baroni, Stacey, Yates

Nays: None

2. Update- Review of Superintendent of Public Works

President Yates reported that he felt that there had been satisfactory resloution of the concerns stated at the previous meeting.

3. Salary Adjustment; Superintendent Of Public Works (On Table)

Moved Ritchie, support Genske to remove the subject from the table.

Ayes: Ritchie, Walters, Genske. Gregory, Baroni, Stacey, Yates
Nays: None

Moved Baroni, support Walters to delay the recommended increase for the DPW Superintendent for a period of six months.

Ayes: Walters, Gregory, Baroni, Yates
Nays: Ritchie, Genske, Stacey

NEW BUSINESS

1. Approval of Election Officials; Primary Inspectors

Moved Ritchie, support Genske to approve the appointment of J. Bishop, B. Gregory, J. Herbst, M. North, B. Steinaway, V. Wilson for the 1991 Village Primary.

Ayes: Ritchie, Walters, Genske. Gregory, Baroni, Stacey, Yates
Nays: None

2. FY 91/92 Village Budget Proposal

Copies of the proposed buget will be distributed to Council this week.

3. Establish FY 91/92 Budget work Session(s) and Public Hearing

Moved Baroni, support Gregory to set a public hearing for 8:00pm, February 25, 1991, for the purpose of taking public comment on the FY 91/92 Village Budget Proposal.

Ayes: Ritchie, Walters, Genske. Gregory, Baroni, Stacey, Yates
Nays: None

Moved Baroni, support Walters to set a budget work session for 8:00pm Tuesday, February 5, 1991.

Ayes: Ritchie, Walters, Genske. Gregory, Baroni, Stacey, Yates
Nays: None

4. Dexter Area Historical Society Request To Display Banner and Signs

Moved Ritchie, support Stacey to approve the Historical Society Request to display their Pioneer Craft Fair Banner at Monument Park from March 3rd-March 16th 1991.

Ayes: Ritchie, Walters, Genske. Gregory, Baroni, Stacey, Yates
Nays: None

5. Appointments To Local Development Finance Authority (4-Year terms expiring February 28, 1995)

Moved Baroni, Support Stacey to reappoint Harry Shore and Paul Bishop to the LDFA for 4-year terms expiring February 28, 1995.

Ayes: Ritchie, Walters, Genske. Gregory, Baroni, Stacey, Yates
Nays: None


Moved Baroni, support Walters to appoint Willis Tupper to the LDFA for a 4-Year term expiring February 28, 1995.

Ayes: Ritchie, Walters, Genske. Gregory, Baroni, Stacey, Yates
Nays: None

ADJOURNMENT

Moved Stacey, support Gregory to adjourn the meeting at 9:05PM
Ayes: Ritchie, Walters, Genske. Gregory, Baroni, Stacey, Yates
Nays: None

Respectfully submitted,


Donna L. Fisher
Village Clerk

Filing Approved _____

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DEXTER VILLAGE COUNCIL

SUMMARY OF BILLS AND PAYROLL COSTS

JANUARY 28, 1991

PAYROLL COSTS (PAGE 2)	\$ 19,321.26
BILLS DUE (PAGE 4)	10,550.32
PETTY CASH (PAGE 5)	69.45
INDUSTRIAL PARK FUNDS (PAGE 6)	<u>24,156.22</u>
TOTAL BILLS & PAYROLL COSTS ALL FUNDS	<u><u>\$ 54,097.25</u></u>

PAYEE—EXPLANATION	CODE	101 GENERAL	206 FIRE	202 MAJOR ST.	203 LOCAL ST.	590 SEWER	591 WATER
<u>PAYROLL COSTS - JANUARY 12, 1991</u>							
Sandra J. Egeler		497.40	55.26				
Janet C. Karvel		142.45-G 142.45-R				142.45	142.45
James M. Palenick		474.94		118.73	118.73	118.73	118.73
Larry N. Wagner			666.64				
Kurt J. Augustine - S.L.							
Keith L. Kitchen		160.55		120.36	147.15		
Patrick A. McKillen		452.06		124.09	132.96		
Derek R. Wiseley		125.92		231.84	304.10		
Thomas C. Desmet						837.96	
Andrea M. Dorney						527.76	
Edward A. Lobdell						798.33	
Daniel L. Schlaff						66.73	413.75
Larry C. Sebring						425.60	204.91
Loren P. Yates- President 1/91		400.84					
Donna L. Fisher- Cler k/Pl. Comm Ses.		366.68					
Rita A. Fischer- Treasurer 1/91		150.84					
<u>MERIT PAY</u>							
Sandra J. Egeler		208.40					
Janet C. Karvel		214.65					
Thomas C. Desmet						297.00	
Patrick A. McKillen		255.00					
Edward A. Lobdell						350.06	
Andrea M. Dorney						292.34	
Larry C. Sebring						233.38	
Daniel L. Schlaff							194.90
Keith L. Kitchen		290.47					
Derek R. Wiseley		246.48					
Kurt J. Augustine		168.74					
<u>PAYROLL COSTS - JANUARY 19, 1991</u>							
Sandra J. Egeler		497.40	55.26				
Janet C. Karvel		142.45-G 142.45-R				142.45	142.45
James M. Palenick		474.94		118.73	118.73	118.73	118.73
Larry N. Wagner			666.64				
Kurt J. Augustine		92.26		184.54	184.54		
Keith L. Kitchen		107.16		214.35	214.35		

CONTINUED TO NEXT PAGE

VILLAGE OF DEXTER COUNCIL PROCEEDINGS

BILLS DUE PAGE 3 OF 6
DATE JANUARY 28, 1991

PAYEE—EXPLANATION	CODE	101 GENERAL	206 FIRE	202 MAJOR ST.	203 LOCAL ST.	590 SEWER	591 WATER
CONTINUED FROM PAGE 2							
Patrick A. McKillen		283.64		212.73	212.73		
Derek R. Wiseley		100.74		228.39	228.39		
Thomas C. Desmet						670.36	
Andrea M. Dorney						527.76	
Edward A. Lobdell						686.72	
Daniel L. Schlaff							320.32
Larry C. Sebring						252.20	378.31
TOTAL PAYROLL COSTS + MERIT PAY		6,138.91	1,443.80	1,553.76	1,661.68	6,488.56	2,034.55

PAYEE—EXPLANATION	CODE	101 GENERAL	206 FIRE	202 MAJOR ST.	203 LOCAL ST.	590 SEWER	591 WATER
AT&T	VARIOUS	59.09				41.09	
Augustine, Kurt/reimb license	441-966	26.00					
Business Resources	172-727	119.12					
Certified Laboratories	441-740	55.86					
Curtin Matheson Scientific	548-743					35.44	
Detroit Edison/St lighting	448-920	1,916.96					
Dexter Leader-Subscription	215-815	12.50					
Dorney, Andrea-reimb supplies	548-740					49.82	
Doubleday Bros & Co.	VARIOUS	318.16		22.05	22.05	22.05	22.05
Dunn Blue Print Co/zoning maps	400-901	18.94					
Eaglebrook, Inc.	548-742					2,123.16	
Frank Grohs Chevrolet	441-939	5.75					
Long, Clark & Baker	101-803	374.00					
MI Bell - 426-8303	172-853	75.01					
" " - 426-8530	441-853	42.61					
" " - 426-4572	548-853						182.74
MichCON- 8360 Huron	548-920					1,015.39	
" " -8140 & 8050 Main	VARIOUS	1,266.56					
Morton Salt	VARIOUS			633.98	633.98		
O'Grady-13th payment	265-970.010	600.00					
S.F. Strong	265-935	10.00					
Speedy Printing Centers	VARIOUS	280.70					
Sweepster	VARIOUS			208.43	208.42		
Tidy Toms, Inc.	548-740					132.41	
Wolverine Truck Plaza	441-939	16.00					
TOTAL BILLS DUE		5,197.26		864.46	964.45	3,419.36	204.79

DEXTER VILLAGE COUNCIL

JANUARY 28, 1991

PETTY CASH

ADMINISTRATION

Coffee, napkins, etc.	101-172-956	\$ 33.88
Extra postage	101-172-727	2.74

D.P.W.

Gas (pump frozen)	101-441-751	10.00
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SEWER DEPT.

Extra postage	590-548-727	1.58
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WATER DEPT.

Wash Truck (maintenance)	591-556-939	6.00
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L.D.F.A.

Postage (Bond issue)		<u>15.25</u>
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TOTAL PETTY CASH EXPENDED ALL FUNDS

\$ 69.45

VILLAGE OF DEXTER COUNCIL PROCEEDINGS

BILLS DUE
DATE JANUARY 28, 1991

PAYEE-EXPLANATION	CODE	WATER REPLACEMENT FUND
Brown Drilling Co.	591.972.000-972.113	\$ 22,609.95
Jones & Henry Engineers, Inc.	591.556.000-972.113	<u>1,546.27</u>
	TOTAL BILLS DUE	<u><u>\$ 24,156.22</u></u>

MEMORANDUM

January 23, 1991

To: Dexter Village Council
From: Donna L. Fisher, Adm. Secretary to the Planning Commission

The following action took place at the 1-21-91 regular meeting of the Planning Commission-

Application for Preliminary Site Plan Approval; Walco Retail Shopping Plaza; Northeast side of Dexter-Ann Arbor Road.
Applicant: The Equitable Group.

Larry Lenchner, Scott Blackwell, and Mike Boggio were in attendance and represented The Equitable Group. Plans for the development were presented to the Commission.

After discussion between the developers and the Commission it was moved by Bishop, supported by Cousins to table the subject until the next meeting.

Ayes: Bishop, Cousins, Model, Hosmer, Waggoner, Bell, Arbour, Betz
Nays: None

Absent: Hansen

The Commission set a work session to deal with this subject for February 4th at 7:30pm.

The Commission also set a public hearing for the purpose of taking public comment on the subject of a proposed sign ordinance for March 18th at 7:30pm.

VILLAGE MANAGER'S REPORT - January 28, 1991

- The Village received the official census population for 1990 on Thursday, January 24th. According to the Census Bureau, Dexter's 1990 population is 1497; or 27 fewer people than 1980. This seems an absolutely absurd possibility given the growth in housing units and the addition of units through annexation. In addition, the timing of the Census was such that the 241 current residents of Walkabout Creek were entirely left out of the 1990 population figure -- soon the residents of the 72-unit addition will also remain uncouneted. Needless to say, this is not good from a revenue-sharing perspective; but know that the FY 91/92 budget proposal was prepared with this kind of outcome in mind, so it should remain accurate. Nonetheless, this community will far exceed 2000 residents before the year is out, yet have an official population (in the State Government's eyes) of 1497.

- I have completed the FY 91/92 budget proposal and submitted it for your review. In your packet you will find a type-written narrative review with Department and Fund totals. The complete line-item budget is also included, although it is not yet in type-written form -- that is being worked on at this writing and will be available well before any scheduled budget work session(s). We should schedule at least one budget work session to examine and review the proposal in its entirety. We must also schedule a public hearing on the proposed budget just prior to its approval. This is normally done the second meeting in February (Feb 25th); final approval also must be given to a budget at that time. All in all, I am reasonably pleased with the financial condition of the community and with the levels of outreach, service delivery, and ultimate accomplishment contemplated by the FY 91/92 budget as submitted.

- The Village Local Development Finance Authority met on Thursday, January 24th and gave formal approval to the authorization, issuance, and sale of \$3.5 million in Limited Tax General Obligation Bonds to finance the second phase Industrial Development infrastructure improvements as previously discussed. The Village Council must now approve resolutions of 1) authorization of filing with Treasury; and 2) pledge of limited tax full faith and credit. the "limited tax full faith and credit pledge" states that in the event tax increment revenues from the LDFA prove insufficient to pay all the debt service obligated thereto, the Village would be responsible to levy additional millage, up to its charter limitation, in order to make up any shortfall. However, as we have always stated, and as still remains true, even in the face of a possible 20% property tax cut, the LDFA tax revenues will provide complete coverage for all debt service short of the bankruptcy of several of the significant tax payers in the Dexter Business and Research Park.

- The Village's contracted tree crew will be in town over the next few weeks trimming dead limbs and removing dead trees, as well as grinding stumps. Red ribbons placed around trees means some dead limbs will be removed; a red painted X means the entire tree will be removed. This year 6 dead trees have been marked for removal.

- Len's Rubbish service, the Village's contracted refuse hauler, is now responsible for transporting the large green recycling receptacle to Recycle Ann Arbor's facilities. Upon acquisition of a "roll-off" handling truck, Len's added the ability to service this receptacle and can offer us more responsive pickup timing and some modest cost savings.

- The Planning Commission has received a preliminary site-plan for the proposed 80,000 square foot commercial strip center along Dexter-Ann Arbor Road to be developed and owned by the Equitable Group of Southfield. This development will include a new 28,000 square-foot Walco Food Store as well as numerous other as-yet-to-be-determined commercial and retail tenants. The Commission will be re-addressing a revised version of the preliminary site plan at its February 18th meeting. Also at that meeting will be the final site plan review for the 72-unit second phase of Walkabout Creek. Included in the 72 new apartment units will be 8, 3-bedroom units; 52, 2-bedroom units; and 12, 1-bedroom units. Expect at least 180 new residents to be added with this development. Also at the February Planning Commission we could expect one, and possibly two more, final site plans for manufacturing facilities in the Dexter Business and Research Park. A 12,000 square-foot facility for Growers Supply and a 5-7,000 square foot Siko Products building. It is quite clear, 1991 proposes to be yet another very busy year for construction in Dexter.

PLEDGE OF LIMITED TAX FULL FAITH AND CREDIT RESOLUTION

Village of Dexter

County of Washtenaw, Michigan

Minutes of a regular meeting of the Village Council of the Village of Dexter, County of Washtenaw, Michigan (the "Village"), held on January 28, 1991, at 8:00 o'clock p.m., Eastern Standard Time.

PRESENT: Members _____

ABSENT: Members _____

The following preamble and resolution were offered by Member _____ and supported by Member _____:

The Local Development Finance Authority of the Village of Dexter (the "Authority") has adopted a resolution authorizing the issuance of its \$3,500,000 1991 Local Tax Development Bonds (General Obligation Limited Tax) (the "Bonds") which bonds are to be issued in anticipation of tax increment revenue for the purpose of paying part of the costs of sewer and street improvements in the Local Development Finance Authority District in accordance with Act 281 of the Public Acts of 1986, as amended (the "Act");

AND WHEREAS, Section 14(2) of the Act provides that the Village may pledge its full faith and credit for the payment of the Bonds.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Village hereby irrevocably pledges its full faith and credit and resources to the payment of the aforesaid Bonds. If at any time the Debt Retirement Fund (as that Fund is established by the Authority) is insufficient to pay the principal of and interest on the Bonds as the same become due, the Village upon notification by the Authority's Treasurer, shall as a first budget obligation advance from its available funds a sufficient amount to pay said principal and interest, or in the event of insufficiency of the Village's general funds, levy ad valorem taxes on all taxable property within the boundaries of the Village in an amount sufficient to pay said principal and interest, providing such tax levy shall be within applicable charter, statutory and constitutional limitations.

2. The Village hereby covenants to take all action within its control to the extent permitted by law necessary to maintain the exclusion of the interest on the Bonds from gross income for federal income tax purposes under the Internal Revenue Code of 1986, as amended (the "Code"), including but not limited to, actions relating to the rebate of arbitrage earnings and the expenditure and investment of proceeds of the Bonds and moneys deemed to be proceeds of the Bonds.

3. The Village hereby represents that it does not expect to issue or cause to be issued bonds in the calendar year 1991, the aggregate principal amount of which, when added together with the Bonds will exceed \$5,000,000.

4. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

AYES: Members _____

NAYS: Members _____

RESOLUTION DECLARED ADOPTED.

Village Clerk

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Village Council of the Village of Dexter, County of Washtenaw, State of Michigan, at a regular meeting held on January 28, 1991, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

Village Clerk

DE\22001.1\22911-00-00005

MILLER, CANFIELD, PADDOCK AND STONE

Resolution Authorizing Filing With Treasury

Village of Dexter
County of Washtenaw, Michigan

Minutes of a Regular Meeting of the Village Council of the Village of Dexter, County of Washtenaw, Michigan (the "Village") held on the 28th day of January, 1991, at 8:00 o'clock p.m., Eastern Standard Time.

PRESENT: Members _____

ABSENT: Members _____

The following preamble and resolution were offered by Member _____ and supported by Member _____:

WHEREAS, the Local Development Finance Authority of the Village of Dexter, County of Washtenaw, Michigan (the "Issuer") intends to authorize the issuance and sale of 1991 Local Development Bonds (General Obligation Limited Tax), pursuant to Act 281, Public Acts of Michigan, 1986, as amended, in an amount not to exceed Three Million Five Hundred Thousand Dollars (\$3,500,000), for the purpose of defraying part of the cost of sewer and street improvements in the Local Development Finance Authority District; and

WHEREAS, the Village of Dexter (the "Village") will pledge its limited tax full faith and credit as secondary security for the bonds; and

WHEREAS, prior to issuance of bonds the Issuer and the Village must either receive prior approval of the bonds from the Department

of Treasury (the "Department") of the State of Michigan (the "State") or be exempt from prior approval as provided in Section 14 of Act 281, Public Acts of Michigan, 1986, as amended, and Chapter III, Section 11 of Act 202, Public Acts of Michigan, 1943, as amended; and

WHEREAS, in order to be exempt from prior approval or to obtain prior approval, the Issuer and the Village must either notify the Department of the Issuer's intent to issue the bonds or file an application from prior approval for the issuance of the bonds.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Village Manager and the Village Clerk each is authorized in cooperation with the Issuer to notify the Department of the Issuer's intent to issue the bonds described in the preamble to this resolution, to pay the related fee or to make funds available to the Issuer to pay the related fee and to request an order providing an exception for the bonds from prior approval by the Department; or, if necessary, in cooperation with the Issuer to file an application from prior approval with Department for the issuance of the bonds and to make application to the Department for all applicable waivers including rating, 1% good faith deposit, public sale, credit enhancement and/or purchaser's deep discount; as necessary.

2. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

AYES: Members

NAYS: Members

RESOLUTION DECLARED ADOPTED.

Village Clerk

I hereby certify that the attached is a true and complete copy of a resolution adopted by the Village Council of the Village of Dexter, County of Washtenaw, State of Michigan, at a Regular Meeting held on the 28th day of January, 1991, and that public notice of said meeting was given pursuant to and in full compliance with Act No. 267, Public Acts of Michigan, 1976 and that minutes of the meeting were kept and will be or have been made available as required by said Act.

Village Clerk

DE\21864.1\22911-00-00005

RESOLUTION TO CERTIFY A MAJOR STREET
VILLAGE OF DEXTER
(DAN HOEY WEST AS REALIGNED)

At a regular meeting of the Village Council of the Village of Dexter, Michigan, held at the First of America Building on February 28, 1991;

The following resolution was offered by Council Member _____, and supported by Council Member _____.

Whereas: The Village of Dexter did on June 27, 1990 acquire title to a certain street; and

Whereas: It is necessary to furnish certain information to the State of Michigan to place this street within the Village Major Street system for the purpose of obtaining funds under Act 51, P.A. 1951 as amended.

Now, Therefore, It Is Resolved:

1. That the centerline of said street is described as:

Commencing at the northwest corner of Section 8, Township 2 S, Range 5E, Washtenaw County, Michigan; thence N 88 degrees 47' 51" E along the North line of Section 8, 33.50 feet to a point of beginning; thence N88 degrees 47' 51" E along the north line of Section 8, 782.42 feet; thence 158.30 feet along the arc of a curve to the right having a radius of 1000 feet and passing through a central angle of 9 degrees 04' 12" and with a chord bearing of S 86 degrees 40' 03" E and a chord length of 158.14 feet; thence S 82 degrees 07' 57" E, 403.17 feet; thence 319.80 feet along the arc of a curve to the left having a radius of 675 feet and passing through a central angle of 27 degrees 08' 43" and with a chord bearing of N 84 degrees 17' 42" E and a chord length of 316.82 feet; thence N 70 degrees 43' 20" E, 297.09 feet to a Point of Ending, said point of ending being on the centerline of Dexter-Ann Arbor Road.

2. That said street is located within a Village right-of-way and is under the control of the Village of Dexter.
3. That said street is a public street and is for public street purposes.
4. That said street is accepted into the Village Major Street System.

Resolution duly adopted this 28th day of February, 1991.

Ayes: _____

Nays: _____

Abstain: _____

Absent: _____

Donna L. Fisher, Village Clerk

Certified to be a true copy: _____

Donna L. Fisher, Village Clerk

DEXTER VILLAGE COUNCIL

REGULAR MEETING

FEBRUARY 11, 1991

AGENDA

CALL TO ORDER 8:00 P.M. - FIRST OF AMERICA BUILDING, 8123 MAIN ST.

ROLL CALL

PUBLIC HEARING

APPROVAL OF MINUTES OF THE JANUARY 28, 1991 REGULAR MEETING

PRE-ARRANGED CITIZEN PARTICIPATION*

APPROVAL OF AGENDA

NON-ARRANGED CITIZEN PARTICIPATION**

COMMUNICATIONS

APPROVAL OF BILLS AND PAYROLL COSTS

REPORTS

SHERIFF

FIRE DEPARTMENT

STANDING COMMITTEES AND COMMISSIONS

1. PLANNING

2. PARKS

AD HOC COMMITTEES

VILLAGE MANAGER

ORDINANCES AND RESOLUTIONS

OLD BUSINESS

1. FY 91/92 PROPOSED BUDGET

NEW BUSINESS

1. APPOINTMENT OF L.D.F.A. BOARD MEMBERS

2. PURCHASE OF SERVICES AGREEMENT--A.A.T.A.

3. SOS Washlaw. Request to Place Ribbons

PRESIDENT'S REPORT

ADJOURNMENT

*PRE-ARRANGED CITIZEN PARTICIPATION WILL BE LIMITED TO THOSE WHO NOTIFY THE VILLAGE MANAGER'S OFFICE BEFORE 5:00 P.M. THE THURSDAY PRECEDING THE MEETING STATING THEIR NAME AND INTENT.

**NON-ARRANGED CITIZEN PARTICIPATION WILL INCLUDE THOSE NOT LISTED

ON THE PRINTED AGENDA WHO WISH TO SPEAK. THE VILLAGE PRESIDENT, AT HIS DISCRETION, MAY CALL ON MEMBERS OF THE AUDIENCE TO SPEAK AT ANY TIME.

DEXTER VILLAGE COUNCIL
REGULAR MEETING
FEBRUARY 11, 1991
8:00PM
FIRST OF AMERICA BANK BUILDING
8123 MAIN STREET

The meeting was called to order at 8:05 PM by the President.

ROLL CALL

Present: Ritchie, Genske, Gregory, Stacey, Yates

Absent: Walters, Baroni

APPROVAL OF MINUTES

Moved Ritchie, support Gregory to approve the minutes of the January 28, 1991, regular meeting as presented.

Ayes: Ritchie, Genske, Gregory, Stacey, Yates

Nays: None

APPROVAL OF AGENDA

Moved Ritchie, support Genske to approve the agenda as ammended to include: New Business, Item 3. S.O.S. Request to Place Ribbons.

Ayes: Ritchie, Genske, Gregory, Stacey, Yates

Nays: None

COMMUNICATIONS

Council received inquiry from the Greater Michigan Foundation regarding Village participation in Michigan Week Mayor's Exchange Day.

BILLS AND PAYROLL

Moved Stacey, support Genske to approve bills and payroll costs in the amount of \$64,500.66.

Ayes: Ritchie, Genske, Gregory, Stacey, Yates

Nays: None

REPORTS

Sheriff- Sgt. Sutton made announcement of the stationing of Sgt. Roger Stielow at the Dexter sub-station.

Village Mgr.- Council received written report. (Copy attached)

OLD BUSINESS

1. Fy 91/92 Proposed Budget
Discussion only.

NEW BUSINESS

1. Appointment of L.D.F.A. Board Members

Moved Stacey, support Gregory to appoint B. Waggoner, G. Sanders, and P. Arbour to the L.D.F.A. Board for a term to expire 2-28-95.

Ayes: Ritchie, Genske, Gregory, Stacey, Yates

Nays: None

2. Purchase Of Services Agreement--A.A.T.A.

Moved Ritchie, support Genske to approve the A.A.T.A. purchase of service agreement with the Village President and Clerk as designated signators.

Ayes: Ritchie, Genske, Gregory, Stacey, Yates

Nays: None

3. S.O.S. Request for Ribbon Placement

Moved Stacey, support Gregory to approve the S.O.S. Washtenaw, Dexter chapter request to place red, white and blue ribbons in support of U.S. Troops in public areas in the Village as coordinated by the Village Manager.

Ayes: Ritchie, Genske, Gregory, Stacey, Yates

Nays: None

PRESIDENT'S REPORT

Council determined that the next DDA Meeting should be a session to inform citizens of the upcoming bond proposal.

ADJOURNMENT

Moved Stacey, support Gregory to adjourn the meeting at 9:25 PM.

Ayes: Ritchie, Genske, Gregory, Stacey, Yates

Nays: None

RESPECTFULLY SUBMITTED,



DONNA L. FISHER
VILLAGE CLERK

Filing Approved AJ. 2-12-91

To: Loren Yates,Village President
Dexter Village Council Members

From: Mick Gregory
Terry Walters

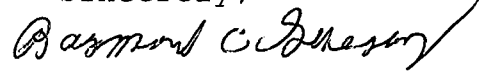
Re: Salary adjustment-Superintendent
of Public works

Date: Feb.19,1991

We would like to request that the above item be placed on the February 25,1991 agenda under old business and that there be a closed session to review the instrument that had been drawn up by Jim Palenick as an employee improvement plan.

As two trustees who supported a motion to delay the recommended increase for the DPW Superintendent,we now find that we did not have all information at our disposal prior to our voting on the issue. This is why we would like to have a short closed seession in order to review the document and understand the procedure used. We hope that this can be done in order to get on with other important Village business.

Sincerely,



Mick Gregory,Village trustee



Terry Walters,Village trustee

cc: James Palenick,Village manager

DEXTER VILLAGE COUNCIL
SUMMARY OF BILLS AND PAYROLL COSTS

FEBRUARY 11, 1991

PAYROLL COSTS (PAGE 2)	\$ 15,520.45
BILLS DUE (PAGE 3)	47,933.21
INDUSTRIAL PARK FUNDS *PAGE 4)	<u>1,047.00</u>
TOTAL BILLS & PAYROLL COSTS ALL FUNDS	<u>\$ 64,500.66</u>

VILLAGE OF DEXTER COUNCIL PROCEEDINGS

BILLS DUE PAGE 2 OF 4
DATE FEBRUARY 11, 1991

PAYEE—EXPLANATION	CODE	101 GENERAL	206 FIRE	202 MAJOR ST.	203 LOCAL ST.	590 SEWER	591 WATER
<u>JANUARY 26, 1991 - PAYROLL COSTS</u>							
Sandra J. Egeler		497.40	55.26				
Janet C. Karvel		85.47-G					
		142.45-R				142.45	142.45
James M. Palenick		474.94		118.73	118.73	118.73	118.73
Larry N. Wagner			666.64				
Kurt J. Augustine		46.13-R		92.27	184.54		
		138.40-I.P.					
Keith L. Kitchen		160.76. "		26.79	133.96		
Patrick A. McKillen		141.82		177.28	177.28		
		212.73-I.P.					
Derek R. Wiseley		100.74		100.74	100.74		
		100.74-I.P.					
Thomas C. Desmet						837.96	
Andrea M. Dorney						527.76	
Edward A. Lobdell						723.92	
Daniel L. Schlaff						213.55	213.55
Larry C. Sebring							504.41
<u>PAYROLL COSTS - FEBRUARY 2, 1991</u>							
Sandra J. Egeler		408.15	58.30				
Janet C. Karvel		148.10-G					
		148.10-R				148.10	148.10
James M. Palencik		474.94		118.73	118.73	118.73	118.73
Larry N. Wagner			666.64				
Kurt J. Augustine		23.06		194.13	194.13		
Keith L. Kitchen		107.17		246.06	246.06		
Patrick A. McKillen		70.91		319.10	319.10		
Derek R. Wiseley		69.26		176.30	157.41		
Thomas C. Desmet						882.84	
Andrea M. Dorney						527.76	
Edwards A. Lobdell						549.37	
Daniel L. Schlaff							533.88
Larry C. Sebring						252.20	378.31
TOTAL PAYROLL COSTS		3,551.27	1,446.84	1,570.13	1,750.68	5,043.37	2,158.16

DATE FEBRUARY 11, 1991

PAYEE—EXPLANATION	CODE	101 GENERAL	206 FIRE	202 MAJOR ST.	203 LOCAL ST.	590 SEWER	591 WATER
AT&T Info Service	VARIOUS	18.42				18.42	
Barrett Paving Materials Inc.	463-740			44.00			
Betnley Services, Inc.	301-938	85.00					
Business Resources, Inc.	172-727	69.67					
Callender & Dornbos, Inc.	VARIOUS	118.00		146.52			
Carpenter Hardware/Lumber	VARIOUS	84.83					
Crain's (subscription)	172-815	30.00					
Detroit Edison							
3620/3676 Central	556-920						2,240.95
8360Huron/CW Lift sta	548-920					4,488.13	
7982,8014,8050, 8140 MAIN	VARIOUS	428.07					
Dexter Office Supply	VARIOUS	26.96				10.57	
Dexter, Village of	VARIOUS	18.33				36.92	
Discovery Group, Inc.	VARIOUS	75.45					
Grainger	441-740	18.89					
Hackney Ace Hardware	VARIOUS	116.54				26.45	32.30
Lemble, Lisa	400-703	270.00					
Len's Rubbish-recycle dump	528-816.020	375.00					
" " -1/91 contract	528-816	10,557.19					
" " -extra dump fees	528-816	3,268.00					
MI Municipal Risk Insurance	VARIOUS	8,766.53				5,165.99	1,721.98
Morton Salt	VARIOUS			1,258.02	1,261.06		
Municipal Code Corp.	215-900	632.85					
Orchard. Hiltz & McCliment, Inc	400-825.001	291.50					
Parts Peddler Auto Supply	VARIOUS	61.44					32.72
R.A.K. Industries	441-740	107.75					
Recycle Ann Arbor	528-816.020	1,076.46					
S.F. Strong	265-935	10.00					
TELEdial America	172-853	36.88					
Vanguard USA/tax refund	VARIOUS	50.12		10.47	12.38	10.19	
Virgne Jeff Ins/tax refund	VARIOUS	18.37		4.24	4.69	5.15	
W.C.S.D./Nov & Dec.90 mileage	301-802010	1,815.33					
Westland Tree Service	441-820	2,880.00					
Zero Waste Recycling, Inc.	528-816.020	20.00					
U.S. Postal Service/utility bill	556-727						74.48
TOTAL BILLS DUE		31,327.58		1,463.25	1,278.13	9,761.82	4,102.43

FEBRUARY 11, 1991

DEXTER VILLAGE COUNCIL PROCEEDINGS

PAYEE-EXPLANATION	CODE	CONST & ENG FUND	WA REPLACEMENT FUND
BROWN DRILLING COMPANY, INC.	591.972.000-972.113		\$ 840.00
Discovery Group, Inc.	251.000.733-880.000	\$ 182.00	
STATE OF MICHIGAN		25.00	
	TOTAL BILLS DUE	\$ 207.00	\$ 840.00

VILLAGE MANAGER'S REPORT - February 11, 1991

- We were unable to acquire bond insurance for the \$3.5M LTGO tax-increment issue through AMBAC Indemnity Corp; we are subsequently speaking to two other prominent Bond Insurance firms. At the same time we are seeking a "preliminary indicator" review from Moody's Investors Service to determine if this issue could be rated at "Investment grade" in the absence of insurance. I am still confident that we will acquire insurance and thus eliminate the concern over a rating; or in the absence of insurance, the rating will still be investment grade (BAA or higher), and thus marketable. The extra efforts have delayed the process, however, and the actual bond sale will likely take place a few weeks later than originally anticipated. Construction should not be delayed, however.

- On Tuesday February 5th, I met with representatives of a Dexter Senior Citizens Group to pursue discussion on the development of a Senior Center in the community. The discussion was very positive, and we will meet again on Wednesday, February 20th, with representatives of the Schools, other Senior group members, a representative of the local theater group, and one or two additional elected Village representatives. The approach is to pursue the development of "joint-use" community facilities to pool resources and to take advantage of the "economies of scale" so produced.

- I recently attended the yearly 3-day conference of the Michigan City Management Association; this year held at the Ypsilanti Radisson. It again was a well-developed, insightful opportunity to hear quality speakers; engage in topical discussion; and compare notes and exchange ideas with my colleagues in the profession.

- The continuing unresponsiveness and arrogance of certain utility companies, particularly MichCon, in tearing up and damaging Village streets and rights-of-way and unsatisfactorily restoring such damage; all without permit application or even simple notification; has caused me to begin work on a proposed ordinance to provide some measure of protection and control. The ordinance will be a comprehensive permitting process for any work done in or on Village streets or rights-of-way, including curb cuts, which will require application for and approval of a permit for such work prior to any construction activity. Total, satisfactory restoration will be required; and significant fines for the violation of any provisions will be incorporated. The actual permit application itself is complete and by reference will be incorporated into the ordinance. I have included a copy in your packet for your review.

- I am planning a vacation the first week in March. At that point, the budget will have been approved, and the requirements necessary to place the \$3.5M LTGO Bond issue for sale should be complete. I feel this will offer a good time for a break--just before all the construction activity begins again in earnest.

- The Village offices will be closed on February 18th for "Presidents day" as per official personnel policies. This also happens to be our Village Primary election day. However, no undue difficulties in administering the election are anticipated. DPW personnel will work some overtime hours in support of the facility needs of the election, and the Village Clerk has fully staffed and will again effectively oversee the election throughout. I would remind everyone that six declared candidates are running for 3 open Council seats; indicating true interest and enthusiasm for the local governing process; and as such we should all mirror that enthusiasm by turning out to vote.

- Because the regularly-scheduled D.D.A. meeting for February falls on the 14th (Valentines Day); the meeting has been rescheduled to the following thursday: the 21st. Same time 7:30-- same location; First of America.

DEXTER VILLAGE COUNCIL

REGULAR MEETING

FEBRUARY 25, 1991

AGENDA

CALL TO ORDER 8:00 P.M. - FIRST OF AMERICA BUILDING, 8123 MAIN ST.

ROLL CALL

PUBLIC HEARING

1. FY 91/92 PROPOSED VILLAGE BUDGET

APPROVAL OF MINUTES OF THE FEBRUARY 11, 1991 REGULAR MEETING

PRE-ARRANGED CITIZEN PARTICIPATION*

APPROVAL OF AGENDA

NON-ARRANGED CITIZEN PARTICIPATION**

COMMUNICATIONS

APPROVAL OF BILLS AND PAYROLL COSTS

REPORTS

SHERIFF

FIRE DEPARTMENT

STANDING COMMITTEES AND COMMISSIONS

1. PLANNING

2. PARKS

AD HOC COMMITTEES

1. ELECTED OFFICIAL COMPENSATION COMMITTEE

VILLAGE MANAGER

ORDINANCES AND RESOLUTIONS

OLD BUSINESS

1. EXECUTIVE SESSION -PERSONNEL MATTER (COUNCILMEN WALTERS & GREGORY REQUEST).
2. PROPOSED SALARY ADJUSTMENT-PUBLIC WORKS SUPERINTENDENT

NEW BUSINESS

1. APPROVAL OF FY 91/92 VILLAGE BUDGET
2. FINAL SITE PLAN - WALKABOUT CREEK APARTMENTS; PHASE II
3. CHANGE MARCH 11TH COUNCIL MEETING DATE
4. APPOINT ELECTION OFFICIALS FOR ANNUAL ELECTION
5. MOSLEM SHRINE TEMPLE REQUEST TO CONDUCT HOSPITAL FUND DRIVE.

6. Res. ~~Wash Co SOS~~ ~~Decker~~

7. Community Band request to place signs

PRESIDENT'S REPORT

ADJOURNMENT

*PRE-ARRANGED CITIZEN PARTICIPATION WILL BE LIMITED TO THOSE WHO NOTIFY THE VILLAGE MANAGER'S OFFICE BEFORE 5:00 P.M. THE THURSDAY PRECEDING THE MEETING STATING THEIR NAME AND INTENT.

**NON-ARRANGED CITIZEN PARTICIPATION WILL INCLUDE THOSE NOT LISTED ON THE PRINTED AGENDA WHO WISH TO SPEAK. THE VILLAGE PRESIDENT, AT HIS DISCRETION, MAY CALL ON MEMBERS OF THE AUDIENCE TO SPEAK AT ANY TIME.

DEXTER VILLAGE COUNCIL
REGULAR MEETING

FEBRUARY 25, 1991

8:00PM

FIRST OF AMERICA BUILDING, 8123 MAIN STREET
DEXTER, MI 49130

The meeting was called to order by the president at 8:00pm.

ROLL CALL

Present: Ritchie, Walters, Genske, Gregory, Baroni, Yates

Absent: Stacey

PUBLIC HEARING

1. FY 91/92 PROPOSED VILLAGE BUDGET

W. Steptoe, 7250 Dan Hoey Road, addressed council with questions regarding the DDA budget. Council referred him to the Village office to get figures.

P. Bishop, 7531 Forest, addressed council requesting an explanation of capital improvements for next year.

W. Steptoe, 7250 Dan Hoey Road, again addressed council regarding sewer service in the Ann Arbor Road area.

P. Cousins, 7854 Forest, addressed council posing the following question, "In the proposed 91/91 budget are there any dollars designated for the extension of Baker Road to Central Street? Any hidden funds provided for the extension?"

President Yates responded, "Not that I know of."

Mgr. Palenick responded, "No."

There were no other citizens who wished to speak and the hearing closed at 8:20PM.

APPROVAL OF MINUTES

Moved Ritchie, support Walters to approve the minutes of the February 11, 1991, regular meeting as presented.

Ayes: Ritchie, Walters, Genske, Gregory, Baroni, Yates

Nays: None

APPROVAL OF AGENDA

Moved Ritchie, support, Gregory to approve the agenda as amended. (Copy attached)

Ayes: Ritchie, Walters, Genske, Gregory, Baroni, Yates

Nays: None

NON-ARRANGED CITIZEN PARTICIPATION**

J. Marsh, 7812 Baker Heights Court, addressed Council speaking of his concerns regarding the development of phase 2 of the Walkabout Creek Complex. Mr. Marsh explained that he believes the developer has done what he had promised to alleviate some of his concerns (repair of fence, trees for screening) and that he now wishes the developer to concentrate on the type and style of lighting to eliminate the bright lights that shine all over the area. Given attention to the lighting changes he would favor Council's approval of site plan.

COMMUNICATIONS

Clerk Fisher informed Council that the Village Primary results has been certified by the County election division.

The City of Taylor has extended an invitation to the Village to attend a meeting regarding T.I.F.A. issues.

Council received copies of a letter to Mr. Palmer of Cottonwood Condominiums regarding the removal of his illegally placed off-site signage.

The Michigan Citizens Lobby made announcement of their annual canvass of the Village.

APPROVAL OF BILLS AND PAYROLL COSTS

Moved Genske, support Gregory to approve bills and payroll costs in the amount of \$123,942.07.

Ayes: Ritchie, Walters, Genske, Gregory, Baroni, Yates

Nays: None

REPORTS

SHERIFF-Sgt. Steilow presented the January Sheriff's report.

FIRE DEPARTMENT-The board met last Thursday. W. Sartin will no longer serve on the board. The Village will need to appoint another representative. The new rescue truck has arrived. The Chief says all is running smoothly in the Department.

STANDING COMMITTEES AND COMMISSIONS

1. PLANNING-Council received written report. (Copy attached)

2. PARKS-The five year plan has been mailed to the State. Grant application will be made in the future.

AD HOC COMMITTEES

1. ELECTED OFFICIAL COMPENSATION COMMITTEE-The committee made recommendation to the Council stating that its recommendation regarding elected officials' compensation is to leave compensation at the current level for this year.

VILLAGE MANAGER

Council received written report. (Copy attached)

ORDINANCES AND RESOLUTIONS

None

New Business was taken up at this time.

NEW BUSINESS

1. APPROVAL OF FY 91/92 VILLAGE BUDGET

Moved Ritchie, support Gregory to approve the proposed Village of Dexter FY 91-91 Budget with a reduction of \$600 under 101-253-Treasurer Salary.

Ayes: Ritchie, Walters, Genske, Gregory, Baroni, Yates

Nays: None

2. FINAL SITE PLAN - WALKABOUT CREEK APARTMENTS; PHASE II
P. Siebert, 102 S. Main, Mt. Pleasant, Mi, representing the

Walkabout Creek development project addressed the Council and responded to questions about lighting.

Moved Ritchie, Support Gregory to accept the planning commission recommendation to grant final site plan approval for the development of Phase II, Walkabout Creek, Southeast of Dan Hoey and Baker Roads pending approval of Village department heads and engineers.

Ayes: Ritchie, Walters, Genske, Gregory, Baroni, Yates

Nays: None

3. CHANGE MARCH 11TH COUNCIL MEETING DATE

Moved Ritchie, support Walters to change the meeting date (due to the annual election) to Tuesday, March 12, 1991, at 8:00PM.

Ayes: Ritchie, Walters, Genske, Gregory, Baroni, Yates

Nays: None

4. APPOINT ELECTION OFFICIALS FOR ANNUAL ELECTION

Moved Ritchie, support Walters, to appoint J. Stacey, J. Herbst, A. Dahman, M. North, J. Bishop, B. Steinaway election inspectors for the Annual Election.

Ayes: Ritchie, Walters, Genske, Gregory, Baroni, Yates

Nays: None

5. MOSLEM SHRINE TEMPLE REQUEST TO CONDUCT HOSPITAL FUND DRIVE.

Moved Ritchie, support Baroni to approve the Moslem Shrine Temple request for approval to solicit funds for their annual hospital fund drive in the downtown area without approaching cars.

Ayes: Ritchie, Walters, Genske, Gregory, Baroni, Yates

Nays: None

6. WASHTENAW COUNTY SOS RESOLUTION

Moved Ritchie, support Walters to adopt the resolution of support for the Washtenaw County Support Our Soldiers-Dexter Chapter.

Ayes: Ritchie, Walters, Genske, Gregory, Baroni, Yates

Nays: None

7. COMMUNITY BAND REQUEST TO PLACE SIGNS

Moved Baroni, support Walters to approve the Dexter community Band request to display 3 signs for seven days prior to their March 19, 1991, concert.

Ayes: Ritchie, Walters, Genske, Gregory, Baroni, Yates

Nays: None

Old business was taken up at this point.

OLD BUSINESS

1. EXECUTIVE SESSION -PERSONNEL MATTER (COUNCILMEN WALTERS & GREGORY REQUEST).

Moved Walters, support Genske to move into executive session at 9:07 PM for the purpose of discussion of a personnel matter.

Ayes: Ritchie, Walters, Genske, Gregory, Baroni, Yates

Nays: None

Moved Ritchie support Walters to move into regular session at 9:15PM.

Ayes: Ritchie, Walters, Genske, Gregory, Baroni, Yates

Nays: None

2. PROPOSED SALARY ADJUSTMENT-PUBLIC WORKS SUPERINTENDENT

Moved Walters, support Gregory to approve the original proposed salary adjustment for the DPW Superintendent.

Ayes: Ritchie, Walters, Genske, Gregory, Yates

Nays: Baroni

ADJOURNMENT

Moved Genske, support Gregory to adjourn the meeting at 9:20PM.

Ayes: Ritchie, Walters, Genske, Gregory, Baroni, Yates

Nays: None

Respectfully submitted,



Donna L. Fisher

Village Clerk

PRESIDENT'S REPORT

Moved Baroni, support Walters to set a special meeting for Saturday, March 9, 1991, at 10:00AM, as an information session regarding the proposed DDA Project, with no other business to be conducted.

Ayes: Ritchie, Walters, Genske, Gregory, Baroni, Yates

Nays: None

DEXTER VILLAGE COUNCIL
FEBRUARY 25, 1991

ADDITIONS AND ADJUSTMENTS - BILLS DUE

BAXTER HEALTHCARE CORP.	590-548-937	+76.50
W.C.S.D. MILEAGE -DECEMBER	101-301-802.010	(828.63)
ADDITIONAL JAN 1991 INCREASE		+ 595.87
FEB 1991 CONTRACT		+ <u>15,757.00</u>

BILLS DUE (PAGE 3) TOTAL CHANGES = \$89,784.07

TOTAL BILLS ALL FUNDS FOR APPROVAL \$123,942.07

DEXTER VILLAGE COUNCIL

SUMMARY OF BILLS AND PAYROLL COSTS

FEBRUARY 25, 1991

PAYROLL COSTS (PAGE 2)	\$ 17,132.02
BILLS DUE (PAGE 3)	74,183.33
PETTY CASH (PAGE 4)	57.13
INDUSTRIAL PARK FUNDS (PAGE 5)	<u>16,968.85</u>
TOTAL BILLS AND PAYROLL COSTS ALL FUNDS	<u>\$ 108,341.33</u>

BILLS DUE

DATE FEBRUARY 25, 1991

PAYEE--EXPLANATION	CODE	101 GENERAL	206 FIRE	202 MAJOR ST.	203 LOCAL ST.	590 SEWER	591 WATER
<u>PAYROLL COSTS - FEBRUARY 9, 1991</u>							
Sandra J. Egeler		524.76	58.30				
Janet C. Karvel		29.62-G					
		148.10-R				148.10	148.10
James M. Palenick		474.94		118.73	118.73	118.73	118.73
Larry N. Wagner			666.64				
Kurt J. Augustine		242.21			80.73		
Keith L. Kitchen		66.98		160.76	200.94		
Patrick A. McKillen		323.52		193.23	192.34		
Derek R. Wiseley				201.48	302.22		
Thomas C. Desmet						882.84	
Andrea Dorney						527.76	
Edward A. Lobdell						412.03	
Daniel L. Schlaff						106.77	458.17
Larry C. Sebring						252.20	378.31
<u>PAYROLL COSTS - FEBRUARY 16, 1991</u>							
Sandra J. Egeler		408.15	58.30				
Janet C. Karvel		148.10-G					
		148.10-R				148.10	148.10
James M. Palenick		474.94		118.73	118.73	118.73	118.73
Larrn N. Wagner			770.80				
Kurt J. Augustine		92.27		271.04	192.22		
Kieth L. Kitchen		26.79		355.70	248.52		15.86
Patrick A. McKillen _Comp time		327.96		163.98	217.16		
Derek R. Wiseley				376.23	288.93		13.46
Thomas C. Desmet - V.T.							
Andrea Dorney						527.76	
Edward A. Lobdell						686.72	130.22
Daniel L. Schlaff						213.55	429.07
Larry C. Sebring							760.74
Loren P. Yates - President		400.84					
Donna L. Fisher - Clerk & Pl Comm. Sec.		366.68					
Rita A. Fischer - Treasurer		150.84					
PRIMARY ELECTION OFFICIALS - Feb 18, 1991		440.00					
TOTAL PAYROLL & PAYROLL COSTS		4,794.80	1,554.04	1,959.88	1,960.52	4,143.29	2,719.49

PAYEE—EXPLANATION	CODE	101 GENERAL	206 FIRE	202 MAJOR ST.	203 LOCAL ST.	590 SEWER	591 WATER
AT & T	VARIOUS	59.09				41.09	
Augustine, Kurt - mileage	441-939	36.96					
Baxter Healthcare Corp.	548-937					197.54	
Curtin Matheson Scientific	548-743					250.32	
Detroit Edison/St lighting	448-920	1,967.08					
Dexter Area Fire Dept/01 & 02-9)	336-806	13,295.53					
Dexter Leader	VARIOUS	203.85					
Graphic Controls	548-740					45.63	
Haas-Transmission Service	441-939	1,977.88					
Long, Clark & Baker	VARIOUS	22.00				605.00	
Marathon Petro Co.	VARIOUS	198.06				15.67	29.09
MICHcon-8140 & 8050 Main	VARIOUS	1,243.94					
" - 8360 Huron	548-920					961.13	
Morton Salt	VARIOUS			599.18	599.17		
O'Grady 14th payment	265-970010	600.00					
Pezzani & Reid Equip Co.	441-939	40.00					
Roto-Rooter	548-825					440.00	
State of MI-seminar Dorney	548-965					35.00	
Sweepster	474-740			11.00			
Thomson-Shore, Inc	548-995.002					17,175.00	
U.S. Postal Services/postage met	172-727	200.00					
W.C.S.D.-12-90 & 01/91 mileage	301-802010	1,847.34					
" 07-90 & 01-91 contracts	301-802	30,322.26					
Washtenaw Development Council	101-815	195.59					
WearGuard	VARIOUS					33.24	33.24
Wetzel, Rita-reimb overpay tax	VARIOUS	122.62		25.62	30.28	24.93	
Williams Sewer Service, Inc.	548-826					607.50	
VILLAGE L.D.F.A.-tax dep. serr	VARIOUS	55.15		11.52	13.62	11.21	
TOTAL BILLS DUE		52,387.35		647.07	643.07	20,443.26	62.33

DEXTER VILLAGE COUNCIL

FEBRUARY 25, 1991

PETTY CASH

ADMINISTRATIVE

Extra postage, supplies, etc	101-172-727	\$ 25.44
Mileage	101-172-861	8.00
Office misc. supplies	101-172-956	16.12
Postage Clerk & Zoning	VARIOUS	4.57

WATER DEPT.

Wash truck	591-556-939	<u>3.00</u>
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TOTAL PETTY CASH EXPENDED ALL FUNDS	<u>\$ 57.13</u>
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VILLAGE OF DEXTER COUNCIL PROCEEDINGS

DATE: FEBRUARY 25, 1991

<u>PAYEE EXPLANATION</u>	<u>CODE</u>	<u>WATER REPLACEMENT FUND</u>
Brown Drilling Company, Inc	591-972.000-972.113	\$ 16,873.15
Jones & Henry Engineers, Inc.	591-556.000-972.113	<u>95.70</u>
<u>TOTAL BILLS DUE</u>		<u>\$ 16,968.85</u>

MEMORANDUM

FEBRUARY 20, 1991

TO: DEXTER VILLAGE COUNCIL

FROM: DONNA L. FISHER, ADM. SECRETARY TO PLANNING COMMISSION

The following action took place at the February 18, 1991 regular meeting of the Planning Commission-

CITIZEN PARTICIPATION

Mr. W. Steptoe questioned the Commission regarding the landscaping of the Dapco facility in the Dexter Business and Research Park.

The Commission referred Mr. Steptoe to the Council explaining that the extension of landscaping deadline had been granted by the Council and not the Planning Commission.

NEW BUSINESS

Walkabout Creek--Phase II Final Site Plan; Southeast of Dan Hoey and Baker Roads. Walkabout Creek II Limited Dividend Housing Association, Applicant.

Moved Cousins, support Waggoner to recommend the Council grant final site plan approval for the development of Phase II, Walkabout Creek, Southeast of Dan Hoey and Baker Roads pending approval of Village Department Heads and Engineers.

Ayes: Bishop, Cousins, Hansen, Hosmer, Waggoner, Bell, Model, Arbour, Betz

Nays: Nays

Absent: None

VILLAGE MANAGER'S REPORT - February 25, 1991

- Efforts to successfully facilitate the sale and issuance of \$3.5M in L.D.F.A tax-increment bonds continue. I am focusing daily on this matter -- a great deal of discussion with representatives of Banks, and financial service firms, as well as Rating agencies and Bond Insurers is taking place. Additional creativity is being employed and all avenues are being explored. I will provide an up-to-the-minute status report at the Council meeting. I still remain confident that no construction delays should result.

- The analysis done as part of the pumping and draw-down test for the new potable water test well was incomplete as per contract specifications; and as such must now be redone. The pumping test will be repeated when weather allows with all required sampling parameters included. We had anticipated results and recommendations at this time--so our time table has been delayed somewhat. However, we should still be able to move forward with production well design and construction by late Spring/early Summer.

- On Wednesday, February 20th, I attended the Ad-Hoc Meeting of Schools, Seniors, and Village representatives pursuing the possibilities for "joint-use" community facilities. Many senior representatives were present; the School Board President, Superintendent, and Community-Ed Director were there; and I was the lone Village representative. I have been promoting the idea of utilizing the Copeland School for renovation to multi-use facilities providing administrative offices for the Schools and Village, as well as Council meeting chambers, a Senior center, and law enforcement sub-station. This of course happening after the Schools would construct a new elementary school. However, the Schools representatives offered no support for this plan--citing their interest in building an elementary school to serve grades 3-4-5 while maintaining Copeland to serve K-2. With that, the discussion turned to the possibilities for developing the Methodist Church property as Village and Senior joint-use facilities. Overall, the point I stressed, and the approach Council should embrace, is one of pooling and utilizing as many resources and support bases as possible to make financing more attractive and supportable and to incorporate "economies of scale". These meetings will continue, and I urge Council members to participate.

- I recently met with representatives of Pilot Industries to discuss the Construction of a 36" underground storm sewer across their Baker/Grand Street property and traversing back to the Mill Creek outflow, as part of our Baker Road reconstruction project. They were very cooperative and receptive to the idea, and I believe we will easily make arrangements to complete this project to the mutual benefit of both parties concerned.

- You may have seen survey crews from Orchard, Hiltz, and McCliment, working on Baker Road recently. These activities are all part of the ongoing design and alignment work being completed for the Baker Road reconstruction.

- Twenty (20) street trees (emerald queen & super-form maples) have been ordered for planting in late spring. Residents filing requests will get first priority for planting.

- Several unforeseen vehicle malfunctions occurred recently with the DPW's limited snow-removal fleet. And of course it happened when the largest snowfall of the winter occurred. At the same time a major water-line break occurred and both Department heads were on scheduled vacation. Murphy's law I guess. Nonetheless the snow removal and water-main repairs were handled well and any decrease in service response or quality was kept to a minimum. We are left, however, with vehicle repair costs over budget.

- The final D.D.A. meeting and public information forum, prior to the March 11th, \$800,000 Streetscape improvement Bond election, will have been held on Thursday, February 25th. A great deal of support and energy is still needed if we are to be successful in getting this Bond issue passed. Accurate information needs to be disseminated and citizens informed. We have done a great deal of work on this project over the last year and one-half--it would be a shame to let our efforts fade out now.

- I have been negotiating with Dexter Fastener Technologies for the sale of an additional 9.3 acres of land in the Dexter Business and Research Park and feel a verbal commitment has been reached. I hope to bring an actual sales agreement to Council for approval at the next meeting.

VILLAGE OF DEXTER

Resolution

WASHTENAW COUNTY SUPPORT OUR SOLDIERS-DEXTER CHAPTER

WHEREAS, the United States of America, operating in conjunction with many other nations under United Nations Resolution 678, began Operation Desert Storm on January 16, 1991, for the purpose of liberating Kuwait from the military occupation of Iraq; and

WHEREAS, the Washtenaw County Support Our Soldiers is an organization dedicated to supporting and encouraging the families in Washtenaw County who have members serving in Operation Desert Storm; and

WHEREAS, the Dexter Chapter of said organization is dedicated to such support and encouragement for members of our own community who have placed themselves at risk in this noble cause;

NOW THEREFORE BE IT RESOLVED, that the Village Council of the Village of Dexter hereby endorse the efforts of the Dexter Chapter of the Washtenaw County Support Our Soldiers to provide aid and comfort to families in our community who are making a special sacrifice in this time of war; and

BE IT RESOLVED FURTHER, that the Village Council hereby endorse a program of displaying red, white and blue ribbons in our community as a sign of our appreciation and concern for our brave citizens in the military who are making their personal sacrifices for our defense and for a better future for the world; and as an outward sign to their families here at home that they all are in our thoughts and in our prayers.

MEMORANDUM

FEBRUARY 21, 1991

TO: VILLAGE COUNCIL
FROM: DONNA FISHER, VILLAGE CLERK

SUBJECT: VILLAGE PRIMARY ELECTION

Election inspectors ran a smooth election on Monday.

Results are at the County Building, and I expect certification by the middle of next week.

164^f people voted- 65 in Precinct 1 and 99 in Precinct 2.

The following individuals will be on the Republican ballot March 11th- James Gordenier, Norma Pearson and Jon Rush.

Paul Cousins will be on the Democratic ballot.

The following individuals are qualified to work as inspectors for the Annual election and will serve once approved by the Council- J. Stacey, J. Herbst, A. Dahman, M. North, J. Bishop, B. Steinaway.

DEXTER VILLAGE COUNCIL

REGULAR MEETING

MARCH 12, 1991

AGENDA

CALL TO ORDER 8:00 P.M. - FIRST OF AMERICA BUILDING, 8123 MAIN ST.

ROLL CALL

PUBLIC HEARING

APPROVAL OF MINUTES OF THE FEBRUARY 25, 1991 REGULAR MEETING

PRE-ARRANGED CITIZEN PARTICIPATION*

1. MATT THOMAS: DEXTER HIGH PROM COMMITTEE
2. JEANNETTE YATES: PARKS COMMISSION REQUEST FOR PUBLIC HEARING AND RESOLUTION OF SUPPORT FOR GRANT APPLICATION

APPROVAL OF AGENDA

NON-ARRANGED CITIZEN PARTICIPATION**

COMMUNICATIONS

APPROVAL OF BILLS AND PAYROLL COSTS

REPORTS

SHERIFF

FIRE DEPARTMENT

STANDING COMMITTEES AND COMMISSIONS

1. PLANNING
2. PARKS

AD HOC COMMITTEES

VILLAGE MANAGER

ORDINANCES AND RESOLUTIONS

OLD BUSINESS

NEW BUSINESS

1. SALES AGREEMENT FOR LOTS 43, 44, 45, & 46; DEXTER BUSINESS & RESEARCH PARK -- DEXTER FASTENER TECHNOLOGIES INC, PURCHASER
2. AFFIDAVIT OF ZONING AND USE DETERMINATION; LOTS 43, 44, 45, & 46 FOR DEXTER FASTENER TECHNOLOGIES INC.
3. DEXTER DISTRICT LIBRARY CONTRIBUTION
4. REQUEST FROM KOCH & WHITE & UMSTEAD MANUFACTURING FOR HORSESHOE TOURNAMENTS AND PERMANENT FITS.
5. AMERICAN CANCER SOCIETY "WALK OF LIFE" CRUSADE

6. KNIGHTS OF COLUMBUS "TOOTSEE ROLL DRIVE"
7. *Park Commission request for Public Hearing*
8. *Lions Club request for approval of design of Veterans W. Memorial*
PRESIDENT'S REPORT

ADJOURNMENT

*PRE-ARRANGED CITIZEN PARTICIPATION WILL BE LIMITED TO THOSE WHO NOTIFY THE VILLAGE MANAGER'S OFFICE BEFORE 5:00 P.M. THE THURSDAY PRECEDING THE MEETING STATING THEIR NAME AND INTENT.

**NON-ARRANGED CITIZEN PARTICIPATION WILL INCLUDE THOSE NOT LISTED ON THE PRINTED AGENDA WHO WISH TO SPEAK. THE VILLAGE PRESIDENT, AT HIS DISCRETION, MAY CALL ON MEMBERS OF THE AUDIENCE TO SPEAK AT ANY TIME.

DEXTER VILLAGE COUNCIL
REGULAR MEETING
MARCH 12, 1991
8:00PM
FIRST OF AMERICA BANK BUILDING
8123 MAIN ST.
DEXTER, MI 48130

The President made announcement of the seating of the newly elected officials and Trustees Gordenier, Pearson and Rush took the oath of office and were seated for the meeting.

Roll Call

Present: Genske, Rush, Gordenier, Gregory, Pearson, Yates
Absent: Baroni

Approval of Minutes

Moved Genske, support Gregory to approve the minutes of the February 25, 1991 meeting as presented.

Ayes: Genske, Rush, Gordenier, Gregory, Pearson, Yates
Nays: None

Pre-arranged Citizen Participation

1. Matt Thomas: Dexter High School Prom Committee

Mr. Thomas was not present at the meeting.

2. Jeanette Yates: Parks Commission request for Public Hearing and Resolution of support for Grant Application

Mrs. Yates, representing the Village Parks Commission, made request for public hearing and resolution.

Approval of Agenda

Moved Genske, support Gordenier to approve the agenda as amended. (Copy attached)

Ayes: Genske, Rush, Gordenier, Gregory, Pearson, Yates
Nays: None

Non-arranged Citizen Participation

P. Cousins, 7648 Forest Ave., addressed Council posing questions regarding future plans from the community regarding the downtown area, suggesting re-evaluation for the proposed plans, and stating his belief that any change will take much leadership from the Council and DDA.

Communications

Included in the Council packet was response from N. Palmer regarding the Cottonwood promotional signs.

Bills and Payroll

Moved Genske, support Gregory to approve bills and payroll costs in the amount of \$47,066.73.

Ayes: Genske, Rush, Gordenier, Gregory, Pearson, Yates
Nays: None

Reports

Standing Committees and Commissions

1. Planning-Council received written report. (Copy attached)

2. Parks-The Parks Commission met with a representative from the Lion's Club regarding their proposed Veterans of War Memorial. No recommendation was made due to the Commission's lack of a quorum.

Village Manager-Council received written report. (Copy attached)

Ordinances and Resolutions

None

Old Business

None

New Business

1. Sales Agreement for lots 43, 44, 45, and 46; Dexter Business and Research Park

Moved Genske, support Gregory to approve the proposed sales agreement between the Village of Dexter and Dexter Fastener Technologies, Inc., for lots 43, 44, 45, and 46 in the Dexter Business and Research Park with the President and Clerk as designated signators. (Copy on file)

Ayes: Genske, Rush, Gordenier, Gregory, Pearson, Yates

Nays: None

2. Affidavit of Zoning and Use Determination; Lots 43, 44, 45 and 46; Dexter Business and Research Park

Moved Genske, support Gregory to approve the proposed Affidavit of Zoning and Use Determination for lots 43, 44, 45, and 46 of the Dexter Business and Research Park for Dexter Fastener Technologies with the president and clerk as designated signators. (Copy attached)

Ayes: Genske, Rush, Gordenier, Gregory, Pearson, Yates

Nays: None

3. Dexter District Library Contribution

Moved Genske, support Gregory to expend the \$2300 budgeted for the Dexter Library contribution for FY 91/92 with payment to be made in July.

Ayes: Genske, Rush, Gordenier, Gregory, Pearson, Yates

Nays: None

4. Request from Koch and White and Umstead Manufacturing for Horseshoe Tournaments and Permanent Pits.

Moved Rush, support Gregory to approve the request for 1) approval of horseshoe tournaments for May 25, 1991, 2) to refer request for approval of horseshoe tournaments during Dexter Daze to the Dexter Daze Committee, 3) to refer the request to install permanent horseshoe pits to the Parks Commission for recommendation.

Ayes: Genske, Rush, Gordenier, Gregory, Pearson, Yates

Nays: None

5. American Cancer Society "Walk For Life " Crusade

Moved Rush, support Genske to approve the American Cancer Society request to conduct its "Walk For Life" crusade.

Ayes: Genske, Rush, Gordenier, Gregory, Pearson, Yates

Nays: None

6. Knights of Columbus "Tootsie Roll Drive"

Moved Genske, support Gregory to approve the K of C request for approval of their Tootsie Roll sale fund raiser March 22, 23 and 24 in the downtown area without approaching cars.

Ayes: Genske, Rush, Gordenier, Gregory, Pearson, Yates

Nays: None

7. Parks Commission Request for Public Hearing

Moved Genske, support Gregory to set a public hearing for March 25, 1991, 8:00PM for the purpose of taking public comment on the subject of grant applications to be made to the State of Michigan.

Ayes: Genske, Rush, Gordenier, Gregory, Pearson, Yates

Nays: None

8. Lion's Club Request for Approval of Design of Veterans's War Memorial.

Ron Krull, representing the Lion's Club, presented plans for the proposed memorial.

Moved Gregory, support Genske to approve the design of the Lion's proposed Veteran's of War Memorial with positioning of the memorial to be determined at a later date.

Ayes: Genske, Rush, Gordenier, Gregory, Pearson, Yates

Nays: None

Moved Rush, support Pearson to suspend Council rules to allow Trustee Rush to present a motion regarding a subject not posted on the approved agenda.

Ayes: Rush, Gordenier, Pearson

Nays: Genske, Gregory, Yates

Motion failed.

President's Report

Mr. Yates told Council that he had talked to Village Attorney P. Long about the legality of dedicating park land as it related to said land being purchased on land contract and there are questions regarding the legality of such dedication.

Thanks to the trustees going off Council were offered in their absence.

Mr. Yates stated he believed the DDa would review the process for downtown development.

The Park's Commission is frustrated by its lack of quorum and subsequent inability to conduct business.

Adjournment

Moved Genske, support Gregory to adjourn the meeting at 9:05 PM.


Ayes: Genske, Rush, Gordenier, Gregory, Pearson, Yates

Nays: None

Respectfully submitted,

Donna L. Fisher
Village Clerk

Filing Approved



3-25-91

VILLAGE MANAGER'S REPORT - March 12, 1991

- We are now in the final stages of efforts to secure credit enhancement for our \$3.5M Bond issue from one of several contacted International Banks. The prospects are currently looking promising, and I expect final word on a commitment by late next week. If the letter of credit is secured, A.G. Edwards; St. Louis, an investment banking firm, will underwrite the entire issue. If all goes well, we could yet see delivery of Bond proceeds in 7-8 weeks; well within our construction finance schedule. I will continue to keep you apprised of up-to-the-minute status changes.

- I have just completed contract specifications for our solid waste collection and disposal contract set to expire May 11, 1991. They will be sent out to all potential contractors within the next two weeks, with the bid-proposal deadline set at April 12th at 3:00 p.m. The request for bids will solicit proposals for the once-a-week residential collection of mixed refuse; and the twice-a-month collection of co-mingled, curbside recyclables. The curbside recycling program to be voluntary and require participants to place co-mingled recyclables in a separate, designated container at curbside. The mixed refuse and recyclable collection components of the contract are to be bid separately, and can be awarded separately. Ideally, However, a single contractor will be awarded both contracts and pursue them as a comprehensive solid waste program. I would hope that Council could award contracts at the April 22nd meeting.

- Brown Well Drilling has completed a second pump test providing samples for analysis for the new potable water test well. They were instructed with regard to the sampling procedure and analysis requirements and will pursue analysis of all required parameters this time. The complete report and analysis on the test well should be available for Council review by mid to late April.

- Because of the continued pursuit of creative alternatives for our Bond sale, I was not able to take my vacation the first week in March as scheduled. Instead, I will be taking the 13th through the 19th off, necessitating my absence at the March 18th Planning Commission meeting. Lisa Lemble, our contracted planner, will be setting in for me that evening.

- I will begin advertising for the half-time zoning enforcement officer/planner upon my return from vacation. The position will be offered at \$12,500/year without medical benefits in keeping with the adopted FY 91/92 Village budget. I am hoping a suitable, qualified candidate can be found in time for the upcoming construction season.

- Design work on the Phase II infrastructure projects is progressing well. It should be fully complete within 2-3 weeks. We hope to hold a public meeting for property owners along Baker

Road to discuss curb cuts and alignments sometime in early April.
We will answer any questions and discuss fully the proposed
improvements of the road reconstruction.

AFFIDAVIT OF ZONING AND USE DETERMINATION

The Village of Dexter, a Michigan municipal corporation, having heretofore approved of and entered into an agreement to convey real property in the Dexter business and research park, consisting of the lots designated #43, 44, 45, and 46 of the preliminary plat, to Dexter Fastener Technologies, Inc., a Michigan corporation, for the purpose of the construction of a facility and installation of a complete fastener manufacturing operation, together with machinery, equipment, related processes and the addition and ongoing operation of a treating and/or plating process line; does hereby acknowledge and affirm the following determination:

As of the date hereof, the Village of Dexter Zoning Ordinance as set forth in Section 4.18, "Industrial Park (IP)", does allow Dexter Fastener Technologies, Inc., to engage in the manufacture and plating of fasteners as a permitted use on lands zoned "IP", as established by the official zoning map of the Village of Dexter. It is further acknowledged that all real property contained within the Dexter Business and Research Park, including that conveyed by recorded deed to Dexter Fastener Technologies, Inc., is zoned "Industrial Park (IP)". It is not the intent of the Village of Dexter, as represented by its present Village Council and duly-appointed zoning enforcement official, to alter or interpret the existing Village Zoning Ordinance in any manner which would preclude or prohibit Dexter Fastener Technologies, Inc., from engaging in the manufacture and plating of fasteners in the Dexter Business and Research Park, now and into the future.

However, any manufacturing operation or other land use in the Village of Dexter must at all times comply fully with all the then applicable laws, regulations, specifications, and provisions set forth in the Village Zoning Ordinance as well as the General Compiled Code of Ordinances, including the Sewer Use Ordinance of the Village of Dexter.

Approved by the Dexter Village Council this _____ day of _____, 1991.

Witnesses:

The Village of Dexter

James M. Palenick

By: _____
Loren P. Yates, Its President

Janet C. Karvel

By: _____
Donna L. Fisher, Its Clerk

Sandra J. Egeler

By: Lisa Lemble
Its Zoning Enforcement Official

State of Michigan)
County of Washtenaw) ss

On this _____ day of _____, 1991, before me, a Notary Public for and in said County, personally appeared Loren P. Yates, Donna L. Fisher, and Lisa Lemble known to me to be the President, Clerk, and Zoning Enforcement Official, respectively, of the Village of Dexter, a Michigan municipal corporation, on behalf of said corporation, who acknowledged that they executed said affidavit on behalf of the Village of Dexter by Authority of its Village Council.

Janet C. Karvel, Notary Public
Washtenaw County, Michigan
My Commission Expires:

DEXTER VILLAGE COUNCIL
SUMMARY OF BILLS AND PAYROLL COSTS

MARCH 12, 1991

PAYROLL COSTS (PAGE 2)	\$ 14,167.15
BILLS DUE (PAGE 3)	30,269.58
INDUSTRIAL PARK FUNDS (PAGE 4)	<u>2,630.00</u>
TOTAL BILLS AND PAYROLL COSTS ALL FUNDS	<u>\$ 47,066.73</u>

PAYEE—EXPLANATION	CODE	101 GENERAL	206 FIRE	202 MAJOR ST.	203 LOCAL ST.	590 SEWER	591 WATER
<u>PAYROLL COSTS - FEBRUARY 23, 1991</u>							
Sandra J. Egeler		408.15	58.30				
Janet C. Karvel		29.62-G 148.10-R					
James M. Palenick		284.96		118.73	118.73	148.10 118.73	148.10 118.73
Larry N. Wagner			545.50				
Kurt J. Augustine				176.85	165.31		23.06
Keith L. Kitchen		63.42		107.17	107.17		
Patrick A. McKillen		62.04		257.05	248.19		
Derek R. Wiseley				165.43	151.98		25.18
Thomas C. Desmet						706.27	
Andrea Dorney						422.20	
Edward A. Lobdell						567.97	
Daniel L. Schlaff						106.77	320.32
Larry C. Sebring						252.20	189.15
<u>PAYROLL COSTS - MARCH 2, 1991</u>							
Sandra J. Egeler		349.84	58.30				
Janet C. Karvel		148.10-G 148.10-R					
James M. Palenick		474.94		118.73	118.73	148.10 118.73	148.10 118.73
Larry N. Wagner			681.88				
Kurt J. Augustine		126.87		92.27	92.27		
Keith L. Kitchen		107.17		160.76	160.76		
Patrick A. McKillen		300.30		150.15	150.15		
Derek R. Wiseley		151.11		164.57	241.85		
Thomas C. Desmet						894.28	
Andrea M. Dorney						527.76	
Edward A. Lobdell						686.72	
Daniel L. Schlaff							533.88
Larry C. Sebring						315.26	315.26
TOTAL PAYROLL COSTS		2,802.72	1m343,98	1,511.71	1,555.14	5,013.09	1,940.51

PAYEE--EXPLANATION	CODE	101 GENERAL	206 FIRE	202 MAJOR ST.	203 LOCAL ST.	590 SEWER	591 WATER
Barrett Paving Materials, Inc.	VARIOUS			57.40	57.40		
CEI	556-937						157.87
Crain's Detroit Business	172-815	30.00					
Detroit Edison -							
8050,7982,8014, 8040 Main	VARIOUS	304.91					
3676 Central & 3620 Central	556-920						1,858.97
8360 Huron & CW lift station	548-920					4,229.98	
Dexter Area F.D./March payment	336-806	6,987.51					
Dexter Office Supply	VARIOUS	7.28				30.50	
Dexter, Village of	VARIOUS	19.55				32.82	
Doubleday Bros. & Co./envelopes	VARIOUS	48.31				48.30	48.30
" " /ballots	191-901	191.45					
Hackney Hardware	VARIOUS	2.59				41.99	155.30
Lemble, Lisa-Feb.'91 services	400-703	252.00					
Len's Rubbish-recycle service	528-816.020	625.00					
" " /feb.'91 contract	528-816	10,557.19					
" " /extra dump fees	528-816	2,527.00					
MI Bell - 426-8303	172-853	70.68					
" " - 426-8530	441-853	44.99					
" " - 426-4572	566-853						192.89
Parts Peddler Auto Supply	VARIOUS	17.52				38.43	
Pitney Bowes-postage meter rent	172-941	47.25					
RAM Communications	441-853	94.00					
Sweepster	202-474			79.40			
Washtenaw Development Council	101-815	102.80					
Water Pollution Control Federa.	548-815					87.50	
Williams Sewer Service, Inc.	VARIOUS					1,222.50	
TOTAL BILLS DUE		21,930.03		136.80	57.40	5,732.02	2,413.33

VILLAGE OF DEXTER COUNCIL PROCEEDINGS

BILLS DUE

DATE: MARCH 12, 1991

<u>PAYEE - EXPLANATION</u>	<u>CODE</u>	<u>CONST & ENG. FUND</u>	<u>WATER REPLACEMENT FUND</u>
ORCHARD, HILTZ & MCCLIMENT, INCL	202-451.000-814.110	\$2,490.00	
" " "	591-556.000-972.113		\$140.00
TOTAL BILLS DUE		\$2,490.00	\$140.00

ADDENDUM TO SALES AGREEMENT

LOTS # 43, 44, 45, AND 46

DEXTER BUSINESS AND RESEARCH PARK

- A) "Seller" possesses fee simple title to the subject parcel:
- B) "Seller" is developing the parcel as part of the research and industrial park known as The Dexter Business and Research Park:
- C) Unless an extension to this sales agreement is negotiated and agreed to by the parties hereto prior to May 1, 1991 and should the closing date subsequently pass without fulfillment of the agreement terms as specified, "Purchaser" forfeits any and all earnest money or down payment submitted to "Seller" pursuant to this Sales Agreement:
- D) "Purchaser" warrants that the acquisition of subject parcel is for the exclusive purpose of constructing a facility to be owned or leased and operated by "Purchaser" or "Purchasers" affiliate or subsidiary, and not for the speculative resale to any other purchaser or third party:
- E) The parties hereto shall execute such other and further documents, deeds, conveyances, and agreements as shall be necessary to effectuate the terms and provisions of this agreement:
- F) The title insurance commitment, including the conditions and restrictions upon use of the lots of the Dexter Business and Research Park shall be subject to the approval of "Purchaser's" attorney upon closing. The failure of "Purchaser's" attorney to approve said title or restriction prior to closing shall relieve "Purchaser" of its obligations to close in accordance with this agreement. This condition shall expire upon closing.

In Witness Whereof the parties have hereunto set their hands and seals this _____ day of _____, 1991.

In the Presence of:

The Village of Dexter

BY: _____
Loren P. Yates, Its President

BY: _____
Donna L. Fisher, Its Clerk

Dexter Fastener Technologies, Inc.

BY: _____
Gregory D. Sander, Its President

SCHEDULE A

DESCRIPTION

PROPOSED LOT 46 OF DEXTER BUSINESS AND RESEARCH PARK, NO. 2

A PARCEL OF LAND THAT IS THE PROPOSED LOT 44 OF THE PROPOSED SUBDIVISION, DEXTER BUSINESS AND RESEARCH PARK, NO. 2, BEING PART OF THE N.E. 1/4 SECTION 7, T. 2 S., R. 5 E., VILLAGE OF DEXTER, WASHTENAW COUNTY, MICHIGAN. DESCRIBED AS:

COMMENCING AT THE E. 1/4 CORNER OF SECTION 7, T. 2 S., R. 5 E., VILLAGE OF DEXTER, WASHTENAW COUNTY, MICHIGAN, CONTINUING THENCE ON THE EAST AND WEST 1/4 LINE S. 89° 10' 45" W., 409.78 FEET TO THE POINT OF BEGINNING, CONTINUING THENCE ALONG EAST AND WEST 1/4 LINE S. 89° 10' 45" W., 210.00 FEET BEING THE SOUTH LINE OF THE PROPOSED LOT NO. 44; THENCE N. 00° 31' 00" W., 450.66; THENCE N. 89° 29' 00" E., 207.61 FEET ALONG THE SOUTH RIGHT-OF-WAY OF BISHOP CIRCLE EAST. (66 FT. WD.); THENCE S. 00° 49' 15" E., 449.55 TO THE POINT OF BEGINNING, CONTAINING 2.158 ACRES.

SAID PARCEL SUBJECT TO A PERMANENT EASEMENT FOR PUBLIC UTILITIES UPON AND OVER THE NORTH 15.00 FEET.

SCHEDULE A

DESCRIPTION

PROPOSED LOT 45 OF DEXTER BUSINESS AND RESEARCH PARK NO. 2

A PARCEL OF LAND THAT IS THE PROPOSED LOT 45 OF THE PROPOSED SUBDIVISION; DEXTER BUSINESS AND RESEARCH PARK, NO. 2, BEING PART OF THE N.E. 1/4 SECTION 7, T. 2 S., R. 5 E., VILLAGE OF DEXTER, WASHTENAW COUNTY, MICHIGAN. DESCRIBED AS:

COMMENCING AT THE E. 1/4 CORNER OF SECTION 7, T. 2 S., R. 5 E., VILLAGE OF DEXTER, WASHTENAW COUNTY, MICHIGAN, CONTINUING THENCE ON THE EAST AND WEST 1/4 LINE S. 89° 10' 45" W., 619.78 FEET TO THE POINT OF BEGINNING, CONTINUING THENCE ALONG THE EAST AND WEST 1/4 LINE S. 89° 10' 45" W., 276.00 FEET; THENCE N. 00° 49' 15" W., 452.13 FEET ALSO BEING THE EAST LINE OF PROPOSED LOT 45; THENCE N. 89° 29' 00" E., 278.40 FEET ALONG THE SOUTH RIGHT-OF-WAY OF CLARK WOODS DRIVE (66 FT. WD.); THENCE ALONG THE EAST LINE OF THE PROPOSED LOT NO. 45, S. 00° 31' 00" E., 450.66 FEET TO THE POINT OF BEGINNING, CONTAINING 2.872 ACRES.

SAID PARCEL SUBJECT TO A PERMANENT EASEMENT FOR PUBLIC UTILITIES UPON AND OVER THE NORTH 15.00 FEET. ALSO THE WEST 20.00 FEET OF THE EAST 66.00 FEET.

SCHEDULE A

DESCRIPTION

PROPOSED LOT 44 OF DEXTER BUSINESS AND RESEARCH PARK NO. 2

A PARCEL OF LAND THAT IS ALSO THE PROPOSED LOT NO. 44 OF THE PROPOSED SUBDIVISION; DEXTER BUSINESS AND RESEARCH PARK, NO. 2, BEING PART OF THE N.E. 1/4 SECTION 7, T. 2 S., R. 5 E., VILLAGE OF DEXTER, WASHTENAW COUNTY, MICHIGAN. DESCRIBED AS:

COMMENCING AT THE N.E. 1/4 CORNER OF SECTION 7, T. 2 S., R. 5 E., VILLAGE OF DEXTER, WASHTENAW COUNTY, MICHIGAN, CONTINUING THENCE ON THE EAST AND WEST 1/4 LINE S. 89° 10' 45" W., 895.78 FEET TO THE POINT OF BEGINNING, THENCE CONTINUING ALONG THE EAST AND WEST 1/4 LINE S. 89° 10' 45" W., 210.00 FEET; THENCE N. 00° 49' 15" W., 453.25 FEET ALSO BEING THE PROPOSED WEST LINE OF LOT 44 OF SAID SUBDIVISION; THENCE N. 89° 29' 00" E., 210.00 FEET ALONG THE SOUTH RIGHT-OF-WAY LINE OF CLARK WOODS DRIVE (66 FT. WD.); THENCE S. 00° 49' 15" E., 452.13 FEET TO THE POINT OF BEGINNING, CONTAINING 2.182 ACRES.

SAID PARCEL SUBJECT TO A PERMANENT EASEMENT FOR PUBLIC UTILITIES UPON AND OVER THE NORTH 15.00 FEET.

SCHEDULE A

DESCRIPTION

PROPOSED LOT 43 OF DEXTER BUSINESS AND RESEARCH PARK NO. 2

A PARCEL OF LAND BEING PART OF THE N.E. 1/4 SECTION 7, T. 2 S., R. 5 E., VILLAGE OF DEXTER, WASHTENAW COUNTY, MICHIGAN; THAT PARCEL ALSO BEING LOT 43 OF THE PROPOSED SUBDIVISION OF DEXTER BUSINESS AND RESEARCH PARK, NO. 2, DESCRIBED AS:

COMMENCING AT THE N.E. 1/4 CORNER OF SECTION 7, T. 2 S., R. 5 E., VILLAGE OF DEXTER, WASHTENAW COUNTY, MICHIGAN, CONTINUING THENCE ON THE EAST AND WEST 1/4 LINE S. 89° 10' 45" W., 1,105.78 FEET TO THE POINT OF BEGINNING, THENCE CONTINUING ALONG THE EAST AND WEST 1/4 LINE S. 89° 10' 45" W., 207.14 FEET TO THE WEST LINE OF THE PROPOSED SAID SUBDIVISION; THENCE N. 00° 31' 00" W., 454.34 FEET ALONG WEST LINE OF SAID SUBDIVISION; THENCE N. 89° 29' 00" E., 204.73 FEET ALONG THE SOUTH RIGHT-OF-WAY LINE OF CLARK WOODS DRIVE (66 FT. WD.); THENCE S. 00° 49' 15" E., 453.25 FEET TO THE POINT OF BEGINNING, CONTAINING 2.145 ACRES.

SAID PARCEL SUBJECT TO A PERMANENT EASEMENT FOR PUBLIC UTILITIES UPON AND OVER THE NORTH 15.00 FEET.

DEXTER VILLAGE COUNCIL

REGULAR MEETING

MARCH 25, 1991

AGENDA

CALL TO ORDER 8:00 P.M. - FIRST OF AMERICA BUILDING, 8123 MAIN ST.

ROLL CALL

PUBLIC HEARING

1. APPLICATION TO STATE OF MICHIGAN RECREATION BOND FUND

APPROVAL OF MINUTES OF THE MARCH 12, 1991 REGULAR MEETING

PRE-ARRANGED CITIZEN PARTICIPATION*

1. MATT THOMAS, DEXTER HIGH PROM COMMITTEE

APPROVAL OF AGENDA

NON-ARRANGED CITIZEN PARTICIPATION**

COMMUNICATIONS

APPROVAL OF BILLS AND PAYROLL COSTS

REPORTS

SHERIFF

FIRE DEPARTMENT

STANDING COMMITTEES AND COMMISSIONS

1. PLANNING

2. PARKS

AD HOC COMMITTEES

VILLAGE MANAGER

ORDINANCES AND RESOLUTIONS

1. RESOLUTION OF PLAN ADOPTION: VILLAGE OF DEXTER RECREATION MASTER PLAN
2. RESOLUTION OF SUPPORT FOR DEXTER PARKS & RECREATION COMMISSION'S GRANT APPLICATION: SMITH WOODS

OLD BUSINESS

1. REVIEW & DISCUSSION: DEDICATION OF LANDS SUBJECT TO LAND CONTRACT

NEW BUSINESS

1. COMBINED SITE PLAN-SIKO PRODUCTS; 2155 BISHOP CIRCLE EAST
2. APPOINTMENTS TO PARKS COMMISSION
3. APPOINTMENT TO FIRE BOARD
4. APPOINTMENT OF COUNCIL PRESIDENT PRO-TEM
5. REQUEST BY LIONS CLUB; WHITE CANE WEEK

6. REVIEW OF COUNCIL RULES

PRESIDENT'S REPORT

ADJOURNMENT

*PRE-ARRANGED CITIZEN PARTICIPATION WILL BE LIMITED TO THOSE WHO NOTIFY THE VILLAGE MANAGER'S OFFICE BEFORE 5:00 P.M. THE THURSDAY PRECEDING THE MEETING STATING THEIR NAME AND INTENT.

**NON-ARRANGED CITIZEN PARTICIPATION WILL INCLUDE THOSE NOT LISTED ON THE PRINTED AGENDA WHO WISH TO SPEAK. THE VILLAGE PRESIDENT, AT HIS DISCRETION, MAY CALL ON MEMBERS OF THE AUDIENCE TO SPEAK AT ANY TIME.

DEXTER VILLAGE COUNCIL
REGULAR MEETING
MARCH 25, 1991
8:00PM
FIRST OF AMERICA BANK BUILDING
8123 MAIN ST.
DEXTER, MI 48130

The meeting was called to order by the president at 8:05PM.

ROLL CALL

Present: Baroni, Gordenier, Rush, Gregory, Pearson, Genske,
Yates
Absent: None

PUBLIC HEARING

1. Application to State of Michigan Recreation Bond Fund

The hearing opened at 8:07 PM.

There were no citizens who wished to speak.

The hearing closed at 8:11PM.

APPROVAL OF MINUTES

Moved Gregory, support Pearson to approve the minutes of the 2-25-91 executive session as presented.

Ayes: Baroni, Gordenier, Rush, Gregory, Pearson, Genske, Yates
Nays: None

Moved Genske, support Gregory to approve the minutes of the 3-12-91 regular meeting as presented.

Ayes: Baroni, Gordenier, Rush, Gregory, Pearson, Genske, Yates
Nays: None

PRE-ARRANGED CITIZEN PARTICIPATION

1. Matt Thomas, Dexter High School Prom Committee

Mr. Thomas made presentation on behalf of the Prom Committee of the request for approval of a fire works display. He announced that letters informing the residents living in the school vicinity would be sent.

Moved Gregory, support Genske to approve the Prom Committee request for approval to hold a 1/2 hour fireworks display on May 11, 1991, at 11:00PM as part of the High School prom pending the approval of the Sheriff's Dept. and the Fire Dept. and pending the naming of the Village of Dexter as being insured on the Colonial Fireworks Company policy, with such information being submitted to the Village Manager.

Ayes: Gordenier, Rush, Gregory, Pearson, Genske, Yates
Nays: Baroni

APPROVAL OF AGENDA

Moved Pearson, support Baroni to approve the agenda as presented. (Copy attached)

Ayes: Baroni, Gordenier, Rush, Gregory, Pearson, Genske, Yates
Nays: None

NON-ARRANGED CITIZEN PARTICIPATION

G. Dworek, 7105 Ann Arbor Rd., addressed Council commending the Planning Commission for its consideration of the neighbors in its review of the proposed Equitable Plan and expressing his support for audio/video taping of public meetings.

COMMUNICATIONS

Copies of the Washtenaw County study of traffic flow were distributed to council members.

BILLS AND PAYROLL

Moved Gregory, support Genske to approve bills and payroll costs in the amount of \$136,052.73.

Ayes: Baroni, Gordenier, Rush, Gregory, Pearson, Genske, Yates
Nays: None

REPORTS

Sheriff-Sgt. Sutton presented the February Sheriff's report.
Fire Department-No report.

Standing Committees

1. Planning Commission-Council received written report.
(Copy attached)

2. Parks-Council received written report. (Copy attached)
Village Manager-Council received written report. (Copy attached)

ORDINANCES/RESOLUTIONS

1. Resolution of Plan Adoption: Village of Dexter Recreation Master Plan

Moved Baroni, support Gregory to adopt the Resolution of Plan Adoption: Village of Dexter Recreation Master Plan. (Copy attached)

Ayes: Baroni, Gordenier, Rush, Gregory, Pearson, Genske, Yates
Nays: None

2. Resolution of Support for Dexter Parks and Recreation Commission's Grant Application: Smith Woods

Moved Genske, support Gregory to adopt the Resolution of Support for Dexter Parks and Recreation Commission's Grant Application. (Copy attached)

Ayes: Baroni, Gordenier, Rush, Gregory, Pearson, Genske, Yates
Nays: None

OLD BUSINESS

1. Review and Discussion: Dedication of Lands Subject to Land Contract

Discussion was held regarding such action as it related to the Village attorney's legal opinion contained in the meeting packet.

It was decided the Village Manager would contact the Village attorney with request that the attorney contact the property sellers regarding joint dedication of said property adjoining Monument Park.

Moved Baroni, support Rush to table the subject.

Ayes: Baroni, Gordenier, Rush, Gregory, Pearson, Genske, Yates
Nays: None

NEW BUSINESS

1. Combined Site Plan-Siko Products; 2155 Bishop Circle East
Moved Rush, support Gordenier to accept the planning commission recommendation to grant preliminary site plan approval for Phase I, II, III, and grant final site plan approval for Phase I of the Siko project, 2155 Bishop Circle East, pending modification of parking to allow for 4 parking spaces in front of the building, 3 spaces on the side of the building and 3 spaces on the back side of the building in Phase I, the installation of sidewalks, the location of the building on Lot 24, the submission of plans for installation of company identification sign and completion of the requirements set forth by the Village Engineers and Village department heads.

Ayes: Baroni, Gordenier, Rush, Gregory, Pearson, Genske, Yates

Nays: None

2. Appointments to Parks Commission

Moved Baroni, support Gregory to approve the president's recommendation to reappoint L.Ceriani and C. Hill to the Parks Commission for three year terms to expire in April 1994, and to appoint C. Tomshany for a three year term to expire in April of 1994, and to appoint J. Adams for a term to expire in April of 1993 and to appoint N. Pearson and J. Gordenier to fill the unexpired terms expiring in April of 1992.

Ayes: Baroni, Gordenier, Rush, Gregory, Pearson, Genske, Yates

Nays: None

3. Appointment to the Fire Board

Moved Genske, support Gordenier to approve the president's recommendation to appoint G. Baroni to the Fire Board as the Council representative replacing W. Sartin.

Ayes: Baroni, Gordenier, Rush, Gregory, Pearson, Genske, Yates

Nays: None

4. Appointment of Council President Pro-Tem

Moved Gregory, support Rush to appoint Trustee Genske as Village Council President Pro-Tem for the coming year.

Ayes: Baroni, Gordenier, Rush, Gregory, Pearson, Genske, Yates

Nays: None

5. Request by Lion's Club-White Cane Week

Moved Genske, support Gregory to approve the Lion's Club request for approval for their White Cane fund raiser for solicitation in the downtown area without approaching cars for April 26 - May 5th.

Ayes: Baroni, Gordenier, Rush, Gregory, Pearson, Genske, Yates

Nays: None

6. Review of Council Rules

Moved Genske, support Gregory to adopt the Council rules as ammended. (Copy Attached)

Ayes: Baroni, Gordenier, Rush, Gregory, Pearson, Genske, Yates

Nays: None

PRESIDENT'S REPORT

No report.

ADJOURNMENT

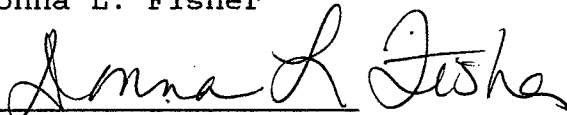
Moved Genske, support Baroni to adjourn the meeting at 9:50PM.

Ayes: Baroni, Gordenier, Rush, Gregory, Pearson, Genske, Yates

Nays: None

Respectfully submitted,

Donna L. Fisher

A handwritten signature in cursive script, appearing to read "Donna L. Fisher", written over a horizontal line.

Village Clerk

Filing approved 4-8-91

MEMORANDUM

To: Village Council
From: Donna Fisher, Adm. Secretary to the Planning Commission

The following action took place at the March, 18, 1991, regular meeting of the Planning Commission-

Old Business

Revised Application for Preliminary Site Plan; Walco Retail Shopping Plaza. Northeast of Dexter-Ann Arbor Road at Dan Hoey Road. Applicant, The Equitable Group.

Moved Hosmer, support Bishop to table the subject, by agreement with the Equitable Group, until the April 15, 1991, regular meeting of the Planning Commission.

Ayes: Bishop, Arbour, Hansen, Cousins, Hosmer, Waggoner, Bell, Betz

Nays: None

Absent: Model

Moved Bishop, support Arbour to recommend the Village Council obtain legal opinion on the Dexter Highlands Development Agreement of 1981, specifically, is the agreement binding on the Village and anyone who owns property formerly known as the Eck Estate? and that the Planning Commission be informed of that opinion by April 8, 1991.

Ayes: Bishop, Arbour, Hansen, Cousins, Hosmer, Waggoner, Bell, Betz

Nays: None

Absent: Model

Moved Bishop, support Hosmer to secure information from the Public Utilities Department regarding sewer service-location and capacity

for the Equitable project with regard to how the area will be serviced coordinated with the other 50+ acres formerly known as the Eck Property by April 8, 1991, with a copy of this information forwarded to the Equitable Group.

Ayes: Bishop, Arbour, Hansen, Cousins, Hosmer, Waggoner, Bell, Betz

Nays: None

Absent: Model

New Business

Application for Combined Preliminary and Final Site Plan; Siko Products, 2155 Bishop Circle East, Applicant Siko Products.

David Hughes, representing Herbert Schwartz of Siko Products, made presentation of the Siko site plan.

Moved Cousins, support Hansen to recommend the Village Council grant preliminary site plan review for Phase I, II, III and final site plan approval for Phase I of the Siko project, 2155 Bishop Circle, pending modification of parking to allow for 4 parking spaces in front of the building, 3 spaces on the side of the building and 3 spaces on the back side of the building of Phase I, the installation of sidewalks, the location of the building on Lot 24, the submission of plans for installation of company identification sign and completion of the requirements set forth by the Village Engineers and Village department heads.

Ayes: Bishop, Arbour, Hansen, Cousins, Hosmer, Waggoner, Bell, Betz

Nays: None

Absent: Model

VILLAGE MANAGER'S REPORT - March 25, 1991

- Pilot Industries has just submitted its application for industrial facilities exemption certificate under P.A. 198 for its new 73,000 square foot technical center in the Dexter Business and Research Park. Following the legal publication of Public Hearing notice, Council will hold a public hearing and address the resolution of abatement award at its last meeting in April or First in May. I also expect the application from Doors & Drawers to be submitted shortly and it also will be addressed in May.

- I have placed advertisements in the appropriate local publications for the half-time position of zoning officer/planner recently vacated by Lisa Lemble. I hope to review the applications received in 3-4 weeks and make a recommendation to Council shortly thereafter. In the interim, and until the new employee becomes effectively familiarized with the job, Lisa Lemble is providing a base-level of contracted planning and zoning services to the Village on an "as-needed" basis.

- DPW crews have recently completed a significant clean-up at Smith Woods. This years compost windrow is neatly defined and stacked; last years compost-turned-topsoil is in one neat pile; the leaf-bags are stacked in the back invisible from the road; and all brush has been chipped and leveled. DPW crews also thoroughly swept Main Street in the Downtown area early Friday morning.

- At this time, all the requested financial information is now in the hands of Banque Nationale De Paris and Sumitomo Trust Ltd., the two foreign banks likely to offer credit enhancement for our \$3.5M Bond issue. I feel that either one or both will offer to provide the letter of credit needed so that A.G. Edwards can then underwrite the issue. If the offer comes within a week, we can still receive Bond proceeds by late April/Early May and fully maintain our proposed construction schedule.

- I have completed a draft of a proposed ordinance regulating construction and repair within Village street and alley rights-of-way, including curb cuts; and have forwarded it on to our attorney Pete Long for his review. Upon any revision, I will provide the final draft to Council for a first reading and subsequent consideration.

I have enclosed in your packet a tentative schedule for the Baker road construction work. You will note we plan a July 1 start date and an October 15th completion date. The County Road Commission will also be starting their portion of Baker at approximately the same time. We will both start at the Dan Hoey intersection and work in opposite directions. We expect the sewer line work to begin around May 6th; the Phase II Industrial Park work about May 28th. As you might imagine, it will be a Summer of significant construction. With construction of course comes a certain degree

of inconvenience and dust. I ask everyone in advance to bear with us. The final results will prove more than worth the inconvenience.

- We are currently reviewing and evaluating bid specs for the budgeted purchase of both the street sweeper and tractor. Hopefully we will have recommendations for purchase of both these items sometime in April.

- Included in your packet, as per Council's request, is an opinion by our attorney regarding the dedication of certain lands currently held in "land contract" by the Village. As you will note, any dedication of property during the term of a land contract would require the seller to join in the dedication.

DEXTER VILLAGE COUNCIL

SUMMARY OF BILLS AND PAYROLL COSTS

MARCH 25, 1991

PAYROLL COSTS (PAGE 2)	\$ 22,467.34
BILLS DUE (PAGE 4)	77,888.70
INDUSTRIAL PARK FUNDS (PAGE 5)	<u>35,696.69</u>
TOTAL BILLS AND PAYROLL COSTS ALL FUNDS	<u>\$ 136,052.73</u>

PAYEE—EXPLANATION	CODE	101 GENERAL	206 FIRE	202 MAJOR ST.	203 LOCAL ST.	590 SEWER	591 WATER
<u>PAYROLL COSTS - MARCH 9, 1991</u>							
Sandra J. Egeler		524.76	58.30				
Janet C. Karvel		148.10-G 148.10-R					
James M. Palenick		474.94		118.73	118.73	148.10 118.73	148.10 118.73
Larry N. Wagner			681.88				
Kurt J. Augustine				230.67	230.67		
Keith L. Kitchen				160.75	160.75		
Patrick A. McKillen		225.22		300.30	225.22		
Derek R. Wiseley				279.16	272.03		
Thomas C. Desmet						894.28	
Andrea M. Dorney						527.76	
Edward A. Lobdell						686.72	
Daniel L. Schlaff						229.09	366.92
Larry C. Sebring						189.15	459.96
<u>GENERAL ELECTION OFFICIALS- 03/11/91</u>		440.00					
<u>PAYROLL COSTS - MARCH 16, 1991</u>							
Sandra J. Egeler		481.03	58.30				
Janet C. Karvel		148.10-G 148.10-R					
James M. Palenick		142.48		59.36	59.36	148.10 59.36	148.10 59.36
Larry N. Wagner			545.50				
Kurt J. Augustine		138.40		115.34	115.34		
Keith L. Kitchen		216.25		187.55	187.55		
Patrick A. McKillen		75.06-G 75.07-IP		225.22	225.22		
Derek R. Wiseley		402.97		50.37	50.37		26.91
Thomas C. Desmet						894.28	
Andrea M. Dorney						527.76	
Edward A. Lobdell						642.38	
Daniel L. Schlaff							533.88
Larry C. Sebring						315.26	189.15
Loren P. Yates - President 3/91		400.85					
Donna L. Fisher - Clerk & Pl Comm Sec.		366.70					
Rita A. Fischer - Treasurer		150.85					
Ducky Dettling - extra help F.D.			61.61				

<u>PAYEE—EXPLANATION</u>	<u>CODE</u>	<u>101 GENERAL</u>	<u>206 FIRE</u>	<u>202 MAJOR ST.</u>	<u>203 LOCAL ST.</u>	<u>590 SEWER</u>	<u>591 WATER</u>
<u>PAYROLL - MARCH 16, 1991</u>							
1990/91 COUNCIL TRUSTEES ANNUAL PAY							
<u>\$40.00 per regular meeting</u>							
Jack Ritchie - 21 meetings		840.00					
"Mick" Gregory - 23 meetings		920.00					
Terry Walters - 19 meetings		760.00					
Geary Baroni - 23 meetings		920.00					
Carl Genske - 18 meetings		720.00					
Robert M. Stacey - 22 meetings		880.00					
Fletcher DesAutels - per contract Dan Hoey Rd.		510.00					
TOTAL PAYROLL COSTS & ACTUAL PAY		10,256.98	1,405.59	1,727.45	1,007.40	5,380.97	2,051.11

DATE MARCH 25, 1991

PAYEE—EXPLANATION	CODE	101 GENERAL	206 FIRE	202 MAJOR ST.	203 LOCAL ST.	590 SEWER	591 WATER
Ace-Tex Corporation	VARIOUS	47.50				47.50	
Ann Arbor Transportation Auth.	965-950.030	1,444.50					
AT&T Credit Corp	VARIOUS	59.09				41.09	
AT&T	VARIOUS	18.42				9.21	
Business Resources	VARIOUS	37.47					
Barrett Paving Materials, Inc.	463-740			141.60			
Cadillac Electric	548-740					326.58	
Captain Clean	548-826					575.00	
Case Power & Equip.	VARIOUS	1,813.43					
Culligan of Ann Arbor	548-743					105.47	
Detroit Edison-st lighting	448-920	1,967.08					
Dexter Leader	VARIOUS	264.05					
Fuccella, Jean L	101-805	791.00					
Grainger	441-740	76.91					
Jones Chemicals	548-742					470.00	
Killins Concrete Co.	463-740				55.45		
Stringer, Thomas L atty	101-803.010	1,995.50					
Long, Clark & Baker	202-803	297.00					
MI Bell - 426-8530	441-853	45.07					
" " - 426-8303	172-853	70.15					
MICHcon - 8140 Main & 8050 Main	VARIOUS	1,071.69					
" " - 8360 Huron	548-920					836.85	
O'Grady - 15th payment	265-970.010	600.00					
Quality Copy Center	172-727	113.65					
Recycle Ann Arbor	528-816.020	764.36					
S.F. Strong, Inc.	441-740	79.02					
TeleDIAL America	172-853	47.24					
Thompson-McCully	463-740			24.60			
W.C. Clerk & Register of Deeds	191-806	96.95					
W.C. Equalization Dept.	400-727	35.00					
W.C.D.P.W.	VARIOUS					62,740.01	
Williams Sewer Service, Inc.	548-826					270.00	
U.S. Postal Service-fill meter	172-727	200.00					
Marathon Petro Co.	VARIOUS	310.26					
TOTAL BILLS DUE		12,245.34		166.20	55.45	65,421.71	

BILLS DUE

DATE: MARCH 25, 1991

DEXTER VILLAGE COUNCIL PROCEEDINGS

PAYEE-EXPLANATION	CODE	WATER REPLACEMENT FUND	L.D.F.A.
BROWN DRILLING COMPANY, INC.	591-556.000.972.113	\$ 585.12	
JONES & HENRY ENGINEERS, INC.	591-556.000-972.113	221.57	
COMERICA BANK			
GEN. OBLIGATION BOND			
(WA SUPPLY SYSTEM IMPROVEMENTS)	395.000.000-965.300		\$34,890.00
	TOTAL BILLS DUE	\$ 806.69	\$34,890.00

RESOLUTION OF PLAN ADOPTION
VILLAGE OF DEXTER
(VILLAGE OF DEXTER RECREATION MASTER PLAN)

At a regular meeting of the Village Council of the Village of Dexter, Michigan, held at the First of America Building on March 25, 1991;

The following resolution was offered by Council Member Baroni, and was supported by Council Member Gregory.

Whereas: On January 3, 1991 the Dexter Parks and Recreation Commission moved to adopt its revised Recreation Master Plan; and

Whereas: On January 28, 1991 the Dexter Village Council held a public hearing for the purpose of receiving public input on said plan;

Now, Therefore, It Is Resolved:

1. That the Dexter Village Council approve the Dexter Village Parks and Recreation Commission Recreation Master Plan.

Motion by Council Member Baroni, Support by Council Member Gregory

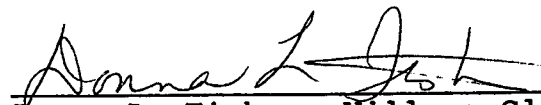
AYES: Baroni, Gordenier, Rush, Gregory, Pearson, Genske, Yates

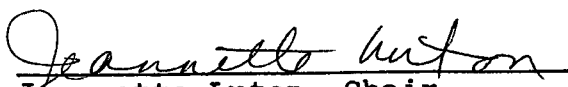
NAYES: None

ABSTAIN: None

ABSENT: None

Resolution Declared Adopted This 25th Day of March 1991.


Donna L. Fisher, Village Clerk


Jeannette Luton, Chair
Dexter Parks and Recreation Commission

RESOLUTION OF SUPPORT
TO DEXTER PARKS AND RECREATION COMMISSION'S GRANT APPLICATION
VILLAGE OF DEXTER
(DEVELOPMENT OF SMITH WOODS PARK)

At a regular meeting of the Village Council of the Village of Dexter, Michigan, held at the First of America Building on March 25, 1991;

The following resolution was offered by Council Member Genske, and was supported by Council Member Gregory.

Whereas: On March 25, 1991 the Dexter Village Council held a public hearing taking public comment on the application to the State of Michigan Recreation Bond Fund for the development of Smith Woods Park as addressed in the Village of Dexter Recreation Plan; and

Whereas: the results of a community survey sent out in November of 1990 by the Dexter Parks and Recreation Commission indicated strong community support for nature/fitness trails;

Now, Therefore, It Is Resolved:

1. That the Village Council of the Village of Dexter does endorse the Village Parks and Recreation Commission's application for a grant for nature/fitness trails and improvements to Smith Woods Park through the Michigan Department of Natural Resources Recreation Bond Program;
2. That, upon the awarding of said grant, the Village of Dexter confirms its intent to provide in cash and in-kind contributions the required 25% local match;
3. That the proposed project will be undertaken and completed by the Village if the grant is awarded.

Motion By Council member Genske, Support By Council member Gregory


AYES: Baroni, Gordenier, Rush, Gregory, pearson, Genske, Yates

NAYES: None

ABSTAIN: None

ABSENT: None

Resolution Declared Adopted This 25th Day Of March 1991.


Donna L. Fisher, Village Clerk

PLEDGE OF LIMITED TAX FULL FAITH AND CREDIT RESOLUTION

Village of Dexter

County of Washtenaw, Michigan

Minutes of a regular meeting of the Village Council of the Village of Dexter, County of Washtenaw, Michigan (the "Village"), held on January 28, 1991, at 8:00 o'clock p.m., Eastern Standard Time.

PRESENT: Members _____

ABSENT: Members _____

The following preamble and resolution were offered by Member _____ and supported by Member _____:

The Local Development Finance Authority of the Village of Dexter (the "Authority") has adopted a resolution authorizing the issuance of its \$3,500,000 1991 Local Tax Development Bonds (General Obligation Limited Tax) (the "Bonds") which bonds are to be issued in anticipation of tax increment revenue for the purpose of paying part of the costs of sewer and street improvements in the Local Development Finance Authority District in accordance with Act 281 of the Public Acts of 1986, as amended (the "Act");

AND WHEREAS, Section 14(2) of the Act provides that the Village may pledge its full faith and credit for the payment of the Bonds.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Village hereby irrevocably pledges its full faith and credit and resources to the payment of the aforesaid Bonds. If at any time the Debt Retirement Fund (as that Fund is established by the Authority) is insufficient to pay the principal of and interest on the Bonds as the same become due, the Village upon notification by the Authority's Treasurer, shall as a first budget obligation advance from its available funds a sufficient amount to pay said principal and interest, or in the event of insufficiency of the Village's general funds, levy ad valorem taxes on all taxable property within the boundaries of the Village in an amount sufficient to pay said principal and interest, providing such tax levy shall be within applicable charter, statutory and constitutional limitations.

2. The Village hereby covenants to take all action within its control to the extent permitted by law necessary to maintain the exclusion of the interest on the Bonds from gross income for federal income tax purposes under the Internal Revenue Code of 1986, as amended (the "Code"), including but not limited to, actions relating to the rebate of arbitrage earnings and the expenditure and investment of proceeds of the Bonds and moneys deemed to be proceeds of the Bonds.

3. The Village hereby represents that it does not expect to issue or cause to be issued bonds in the calendar year 1991, the aggregate principal amount of which, when added together with the Bonds will exceed \$5,000,000.

4. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

AYES: Members _____

NAYS: Members _____

RESOLUTION DECLARED ADOPTED.

Village Clerk

MILLER, CANFIELD, PADDOCK AND STONE

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Village Council of the Village of Dexter, County of Washtenaw, State of Michigan, at a regular meeting held on January 28, 1991, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

Village Clerk

DE\22001.1\22911-00-00005

MILLER, CANFIELD, PADDOCK AND STONE

Public Notice

DEXTER VILLAGE COUNCIL

PUBLIC HEARING

Monday, March 25, 1991-8:00PM
First of America Bank Building
8123 Main St., Dexter, MI

A public hearing of the Dexter Village Council will be held Monday, March 25, 1991, at the First of America Bank Building for the purpose of taking public comment on the subject of grant applications to be filed with the State of Michigan by the Dexter Village Parks Commission.

All persons wishing to attend may address this matter.

Written comment may be addressed to the Village Clerk, 8140 Main St., Dexter, MI 48130, and must be received no later than 5:00p.m. Thursday, March 21, 1991.

DEXTER VILLAGE
Donna L. Fisher, Clerk

DEXTER VILLAGE COUNCIL

REGULAR MEETING

APRIL 8, 1991

AGENDA

CALL TO ORDER 8:00 P.M. - FIRST OF AMERICA BUILDING, 8123 MAIN ST.

ROLL CALL

PUBLIC HEARING

APPROVAL OF MINUTES OF THE MARCH 25, 1991 REGULAR MEETING
MOTION TO CORRECT COUNCIL MINUTES OF THE MARCH 12, 1991
REGULAR MEETING.

PRE-ARRANGED CITIZEN PARTICIPATION*

APPROVAL OF AGENDA

NON-ARRANGED CITIZEN PARTICIPATION**

COMMUNICATIONS

APPROVAL OF BILLS AND PAYROLL COSTS

REPORTS

SHERIFF

FIRE DEPARTMENT

STANDING COMMITTEES AND COMMISSIONS

1. PLANNING

2. PARKS

A. REVIEW OF COUNCIL ACTION REGARDING PROPOSED VETERANS
MEMORIAL

AD HOC COMMITTEES

VILLAGE MANAGER

ORDINANCES AND RESOLUTIONS

1. RESOLUTION TO DEDICATE CERTAIN LANDS TO PARK SYSTEM.

OLD BUSINESS

1. REVIEW OF COUNCIL PROCEDURE REGARDING APPROVAL OF MINUTES.
2. DEDICATION OF LANDS TO PARK SYSTEM; QUESTION OF LEGAL
TITLE HOLDER.

NEW BUSINESS

1. APPROVAL OF DESIGN ENGINEERING FOR WATER MAIN REPLACEMENT,
BAKER ROAD.
2. ESTABLISH PUBLIC HEARING TO ADDRESS P.A. 346 TAX RELIEF
REQUEST; W.S. SMITH CO.
3. DISCUSSION OF PUBLIC EMERGENCY WARNING SIRENS.

4. PURCHASE OF MULTI-FUNCTION TRACTOR - D.P.W.
5. SET SPRING CLEAN-UP DATES.
6. SET COUNCIL RETREAT/GOAL SETTING WORKSHOP.

PRESIDENT'S REPORT

ADJOURNMENT

*PRE-ARRANGED CITIZEN PARTICIPATION WILL BE LIMITED TO THOSE WHO NOTIFY THE VILLAGE MANAGER'S OFFICE BEFORE 5:00 P.M. THE THURSDAY PRECEDING THE MEETING STATING THEIR NAME AND INTENT.

**NON-ARRANGED CITIZEN PARTICIPATION WILL INCLUDE THOSE NOT LISTED ON THE PRINTED AGENDA WHO WISH TO SPEAK. THE VILLAGE PRESIDENT, AT HIS DISCRETION, MAY CALL ON MEMBERS OF THE AUDIENCE TO SPEAK AT ANY TIME.

DEXTER VILLAGE COUNCIL
REGULAR MEETING
APRIL 8, 1991
8:00PM
FIRST OF AMERICA BANK BUILDING
8123 MAIN STREET
DEXTER, MI 48130

The meeting was called to order at 8:00PM by the president.

ROLL CALL

Present: Gordenier, Rush, Baroni, Gregory, Perason, Genske, Yates

Absent: None

APPROVAL OF MINUTES

Moved Rush, support Gordnier to correct the minutes of 3-12-91 to read-

Moved Rush, support Pearson to suspend Council rules to allow Trustee Rush to present a motion regarding a subject not posted on the approved agenda.

•Ayes: Rush, Gordenier, Pearson, Genske, Gregory, Yates

Nays: None

and to add- Moved Rush, support Gordenier to designate the vacant land at the southeast end of Monument Park as dedicated parkland.

Ayes: Rush, Gordenier, Pearson

Nays: Genske, Gregory, Yates

Motion failed.

Ayes: Gordenier, Rush, Pearson

Nays: Baroni, Gregory, Genske, Yates

Motion failed.

Moved Genske, support Baroni to approve the minutes of the 3-25-91 regular meeting as presented.

Ayes: Gordenier, Rush, Baroni, Gregory, Pearson, Genske, Yates

Nays: None

APPROVAL OF AGENDA

Moved Baroni, support Gregory to approve the agenda as amended to move Old Business before Ordinances and Resolutions. (Copy attached)

Ayes: Gordenier, Rush, Baroni, Gregory, Pearson, Genske, Yates

Nays: None

NON-ARRANGED CITIZEN PARTICIPATION

Bruce Waggoner, 3294 Broad Street, addressed council stating his disappointment at the prospect of paying \$105,000 for 75 feet of additional parkland and proposed thoughts of how said amounts of money could be used to improve sidewalks, provide curb and gutter, etc.

Paul Cousins, 7648 Forest, addressed the ramifications of dedicating parklands and landuse of said property in the future.

Paul Bishop, 7531 Forest, representing the DDA, addressed the

Council informing them of the next DDA meeting, 3-18, and requesting their attendance as discussion of the failed bonding issue would take place.

COMMUNICATIONS

Council packets contained a letter from K. Dwoerek regarding restoration and the recent Dan Hoey Road project. A letter from J. Rush regarding his proposed changes to the minutes of 3-12-91 and proposed schedules for development of Phase 2 of the Dexter Business and Research Park.

APPROVAL OF BILLS AND PAYROLL

Moved Baroni, support Pearson to approve bills and payroll costs in the amount of \$60,179.92.

Ayes: Gordenier, Rush, Baroni, Gregory, Pearson, Genske, Yates

Nays: None

REPORTS

Parks Commission- Council received written report. (Copy attached)

A. Review of Council action regarding proposed Veterans Memorial Trustee Rush requested clarification regarding the procedure for recommendations and final approval for issues regarding the proposed memorial.

Village Mgr.- Council received written report. (Copy attached)

OLD BUSINESS

1. Review of Council Procedure Regarding Approval of Minutes Discussion. No action taken.

2. Dedication of Lands to Park System; Question of Legal Title Holder

Moved Baroni, support Gregory to remove the subject from the table.

Ayes: Gordenier, Rush, Baroni, Gregory, Pearson, Genske, Yates

Nays: None

Discussion. No action taken.

ORDINANCES AND RESOLUTIONS

1. Resolution to Dedicate Certain Land to Park System

Moved Gordenier, support Rush to adopt the proposed resolution to dedicate certain parklands (Southeast-Monument Park) as amended (Copy attached)

Ayes: Gordenier, Rush, Baroni, Gregory, Pearson, Genske, Yates

Nays: None

NEW BUSINESS

1. Approval of Design Engineering for Water Main Replacement, Baker Road

Moved Baroni, support Gregory to authorize the expenditure of funds to complete the design engineering for the water main replacement Baker Road.

Ayes: Gordenier, Rush, Baroni, Gregory, Pearson, Genske, Yates

Nays: None

2. Establish Public Hearing To Address P. A. 346 Tax Relief Request; W.S. Smith Co.

Moved Baroni, support Gregory to set a public hearing for the purpose of taking public comment on the W.S. Smith Co request for tax abatement for 8:00PM, 4-22-91, at the First of America Bank Building.

Ayes: Gordenier, Rush, Baroni, Gregory, Pearson, Genske, Yates

Nays: None

3. Discussion of Public Emergency Warning Sirens

Moved Baroni, support Genske to table the subject.

Ayes: Gordenier, Rush, Baroni, Gregory, Pearson, Genske, Yates

Nays: None

4. Purchase of Multi-Function Tractor - D.P.W.

Moved Baroni, support Genske to accept the recommendation of the DPW supervisor and authorize the expenditure of funds budgeted for the purpose of purchase of a 380B Case Loader Landscaper at a cost not to exceed \$15,625.

Ayes: Gordenier, Rush, Baroni, Gregory, Pearson, Genske, Yates

Nays: None

5. Set Spring Clean-up Dates

Moved Genske, support Baroni to accept the Village Manager's recommendation to set Spring Clean-up dates for 4/26-5/2

Ayes: Gordenier, Rush, Baroni, Gregory, Pearson, Genske, Yates

Nays: None

6. Set Council Retreat/Goal Setting Workshop

Moved Genske, support Baroni to set a retreat/goal setting workshop for Saturday, 4-13-91, 9AM at Chelsea Hospital.

Ayes: Gordenier, Rush, Baroni, Gregory, Pearson, Genske, Yates

Nays: None

ADJOURNMENT

Moved Gregory, support Genske to adjourn the meeting at 9:15PM.

Ayes: Gordenier, Rush, Baroni, Gregory, Pearson, Genske, Yates

Nays: None

Respectfully submitted,



Donna L. Fisher
Village Clerk

Filing approved

4-22-91

VILLAGE MANAGER'S REPORT - April 8, 1991

- I have received word from First of America Bank that our 3-year lease proposal in exchange for the suggested lease hold improvements is acceptable in principal and an actual lease is being put together by the Banks Attorney for Village approval. The one additional provision the Bank is requesting is that should a committed long-term lessee come along, the Bank could break the lease with the Village upon 90 day notice and reimbursement of the time discounted value of leasehold improvements. There is frankly, little concern that such a clause would be invoked, and I indicated the provision seemed quite reasonable.

- I have received 10 applications for the advertised position of half-time zoning enforcement officer/planner. Many of the candidates offer substantive, qualified credentials and would appear quite capable of performing the functions and duties of the position. I will review them further and hope to present a recommendation for hiring at the next scheduled Council meeting.

- Included on the agenda is a discussion item on whether to continue to operate and maintain warning sirens within the community. The siren which was located on the old water tower is currently down and inoperable. A second siren is located atop the Cottage Inn building but does not have telemetric operating capability; it must be activated manually. To relocate the tower siren to the Copeland School would require at least \$800 in roof work, an additional \$500 - 1,000 in electrical costs, including complete rewiring of the siren; and the installation of a phone line and telemetry equipment to activate the siren automatically in emergency situations. There would be additional costs for the other siren as well; and ongoing maintenance and operation costs including phone service. In addition, there are certain questions of liability: whether a community is better to have no system and publicly profess to provide no system; or to have a minimal, poorly-operating system, which on its face publicly professes to provide warning; but might ultimately fail? I hope to have an answer to these question for the Council meeting -- Our Attorney will be offering his opinion prior to that time.

- As part of the construction of the second phase of the Dexter Business and Research Park, we must effectively get rid of (off site) some 50-60,000 cubic yards of top soil. To have it trucked off as part of the overall contract could add a very significant cost. An alternative is to move it, in earthmovers as it is removed, to the land directly South of the Park, owned by Mr. Louis Sloan. To that end, I am negotiating with Mr. Sloan to hopefully develop an agreement where we can spread the soil on Mr. Sloan's agricultural land, either in a berm or in a thin layer over a large

area, for a cost less than that to truck it over Village roads and off site. In this manner we could avoid the heavy wear on Village roads; keep the dirt and dust off Village roads; and keep overall contract costs lower. I hope to bring back a proposed agreement on this matter by the next Council meeting.

- The W.S. Smith Co., developers of the Walkabout Creek Apartment complex, will be coming to the Village Council to seek property tax relief for their project under P.A. 346 (1966). This statute allows municipalities to allow MSHDA-financed multi-family housing projects to make a payment in lieu of ad valorem property taxes based on an established percentage of total rents collected. The concept is to maintain the affordability and subsequently the occupancy and maintenance of the units by giving some measure of tax relief to the property owner. The statute allows the municipality to set, by ordinance, what percentage of rents collected as payment in lieu of taxes that it designates, as long as such percentage does not equal a total greater than the actual tax levy. The Smith Co. is requesting the Council address such an ordinance (to be provided by W.S. Smith's Attorney at W.S. Smith's expense) at its April 22nd meeting; at which time representatives of the development company will make a thorough presentation. Since the action is by ordinance, Council is being asked to set a public hearing for the April 22nd meeting which, if approved, we will advertise to the General Public.

- I have included tentative construction schedules in your packet for the sanitary sewer trunk extension and the second phase of the Dexter Business and Research Park. Also included is the most up-to-date construction cost estimates for the sanitary sewer trunk extension.

- Closing for the land sales in the Dexter Business and Research Park to Dexter Fastener Technologies and K.R.G. Investments are both set for May 1st. Within days of the K.R.G. closing, the Village will use the proceeds to close on the Carpenter lumber property subsequently taking possession 30 days hence.

- We are requesting that spring clean-up be set for Friday, April 26 through Thursday, May 2nd; similar to last year. The advertisement to be placed in the Dexter Leader is included in your packet. This clean-up is included in our current refuse contract monthly rate, however, all cubic yards of refuse collected as a result will carry with it the added \$4.75/yd increase in dump fees as per contract provision. as you can imagine these type of "clean-ups" are becoming more and more expensive and open to certain abuses when residents encourage non-residents to place their refuse in Village locations for pickup. The new refuse contract bid is being solicited with a single Spring clean-up; eliminating the second Fall pickup.

- As of Friday afternoon, Sumitomo Trust Ltd. had opted not to offer credit enhancement for the \$3.5M L.D.F.A. infrastructure bonds; and Banque National De Paris was being reapproached for a quick decision on their intent. If within the week, the credit enhancement option is not achieved we will have to begin the process to authorize and issue 4 separate bond issues, each less than \$1 million and therefore not requiring a rating for sale. If this option must be pursued, I have been assured by A.G Edwards of St. Louis, that they will find a placement and purchaser for the issues. I will continue to advise Council of the up-to-the minute status of this matter.

VILLAGE PARKS COMMISSION

8140 MAIN STREET
DEXTER, MICHIGAN 48130

To: Dexter Village Council Members

From: Jeanette Luton, Parks Chair

Date: 4/3/91

At the last Parks and Recreation Commission on March 28, the following recommendations were made: the location for the new Lions Club Veterans monument should be moved back so that the outside perimeter of the bricks surrounding the monument itself will abut the old park property line. It was felt that the original location desired by the Lions was too close to the gazebo. It was also felt that the rest of the land where the houses once stood has a future and design too undecided at this time for the Lions to be told they should put the monument somewhere on it.

It was moved and passed to recommend that the engraving on the Lions Club bricks in Monument Park should be restricted to names of individuals and families only.

Final discussion on the grant application for the Smith Woods Property was held. It was noted that prime importance must be placed on finding an alternative site for the Village's leaf composting project. The commissioners felt that leaf composting is very worthwhile and environmentally necessary, but that a site other than what is to become a village park should be found. Various sites were brought up for discussion, among them the village-owned land by the old well site between the Huron River and the railroad tracks; perhaps a nursery such as Sloan's would be interested in leaf composting. This will be up for further discussion at a later date, as the timing is not crucial, given the time frame for development of Smith Woods Park.

A vacancy exists on the Parks Commission, as Colleen Tomshany did not feel she had the time to devote to the position. The individuals who were mentioned in last month's Parks memo to Council are still interested in the position.

RESOLUTION

A resolution to dedicate certain lands in the Village of Dexter, owned in fee simple by the Village of Dexter, to the official dedicated Park system of the Village of Dexter.

The Village of Dexter Resolves:

The following legally described lands located in the Village of Dexter, Washtenaw County, Michigan to wit:

PARCEL "A"

A parcel of land in part of Lot 3 and part of Lot 4, Block 7, original plat of the Village of Dexter, as recorded in Liber B of Deeds, Page 341, Washtenaw County Records, described as beginning at a point located by the following 2 courses from the northwesterly corner of said Lot 4; (1) N 46 degrees 06'20" W 49.50 feet along the northerly line of Ann Arbor Street; and (2) N 15 degrees 54'19" E 53.79 feet; thence continuing N 15 degrees 54'19" E 34.00 feet; thence S 69 degrees 14'09" E 121.05 feet along the southerly line of Central Street; thence S 44 degrees 31'33" W 77.57 feet; thence N 46 degrees 06'20" W 94.51 feet to the point of beginning.

PARCEL "B"

A parcel of land in part of Lot 3 and part of Lot 4, Block 7, original plat of the Village of Dexter, as recorded in Liber B of Deeds, Page 341, Washtenaw County Records, described as beginning at the northwesterly corner of said Lot 4; thence N 46 degrees 06'20" W 49.50 feet along the northerly line of Ann Arbor Street; thence N 15 degrees 54'19" E 53.79 feet; thence S 46 degrees 06'20" E 94.51 feet; thence S 44 degrees 31'33" W 47.51 feet; thence N 46 degrees 06'20" W 19.24 feet along the northerly line of Ann Arbor street to the point of beginning.

Are this day, By Approval of the Village Council of the Village of Dexter, officially added to and dedicated as Village of Dexter Park land; To be considered and identified as a part and extension of "Monument Park". Provided, however, that such dedication is not intended to impair the value of the property as security; and that such dedication remain effective for so long as the Village is not in default on its mortgage attached to the property so dedicated.

Motion by Council Member: _____

Supported by Council Member: _____

Ayes: _____

Nays: _____

Abstain: _____

Absent: _____

This Resolution declared adopted this _____ day of
April, 1991.

Certified _____

Donna L. Fisher, Village Clerk

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Motion by Council Member: _____

Supported by Council Member: _____

Ayes: _____

Nays: _____

Abstain: _____

Absent: _____

This Resolution declared adopted this _____ day of
April, 1991.

Certified _____
Donna L. Fisher, Village Clerk

Dwork's "Wish List" for Dan Hoey Rd. Reconstruction:
Renovations - Improvements

- 1.) Driveway - We had gravel. Substance laid is more mud than gravel when wet. We believe an additional layer of small stone is necessary to alleviate the muddy conditions.
- 2.) Dan Hoey Corner - our side - is so high (elevation) that all rain drain runs onto our property & makes front yard swampy. The "swail" is not in the ROW - rather our untouched property is now the "swail". We believe a "swail" needs to be cut into the hilly row and put the swail in the middle of the area between the curb & our two white pine trees.
- 3.) Mailbox - Cement in the new post. Because of the still muddy shoulder condition, the mailbox post is wobbly and can be pulled up out of the ground. We'd like it cemented in - anchored.
- 4.) Fence & Tree's & Brush from Kingsley property. Before the reconstruction of Dan Hoey Rd., a fence, a line of brushy tree's & mature maples bordered the Kingsley property along D.H. Rd. Now, there is open space along the shoulder on Kingsley side. - We get corn husks blowing into & littering our yards that the brushy tree's used to catch. While the corn husks are natural debris & are ~~biodegradable~~ (biodegradable) they are unsightly, and our yard gets covered with them. Will the fence on Kingsley side be replaced? Another

concern we have about this issue, is that last fall, we witnessed 3 events where people parked their car on the shoulder and entered the corn field & removed corn stalks. This spring, on one occasion, a young couple entered the field and had a picnic.

- 5.) Trim deadwood off mature maples in ROW. Only one tree has been trimmed to date.
- 6.) Install street lights on corner intersections.
- 7.) Repaint on-road markings.
- 8.) Compact, and gravel soft, muddy when wet shoulders. When vehicles pull over to shoulder, they're getting stuck and creating deep ruts.
- 9.) Clean out culverts under driveways. They are getting clogged with blown corn husks.
- 10.) Re: Trash Haulers - have continued to leave empty cans & lids in the muddy silt. Please ask them to leave empties on the shoulder standing upright.

DEXTER VILLAGE COUNCIL RULES

Adopted April, 1986
Amended August 24, 1987
Amended September 14, 1987
Amended March 25, 1991

RULE 1: MEETING OF THE COUNCIL

All meetings, regular and special, of the Council shall be held in the First Of America Building. However, any meeting of the Council can be adjourned to another location in order to accommodate the public.

The Council shall hold its regular meetings on the second and fourth Mondays of each month at 8:00 P.M.

Whenever a regular meeting falls on a legal holiday or election day it shall be held on the following day (Tuesday) at 8:00 P.M.

RULE 2: ORDER OF BUSINESS (Approved 9/14/87)

An agenda for each Council Meeting shall be prepared by the Village Manager in accordance with the following order of business:

Roll Call of the Trustees
Public Hearings
Approval of the Minutes
Pre-Arranged Citizen Participation
Approval of Agenda
Non-Arranged Citizen Participation
Communications
Approval of Bills and Payroll
Reports
 Sheriff
 Fire Department
 Committees and Commissions
 Village Manager
Ordinances/Resolutions
Old Business
New Business
President's Report
Adjournment

*Pre-Arranged Citizen participation will be limited to those who notify the Village Office before 5:00 P.M. the Thursday preceding the meeting stating their name and intent.

**Non-Arranged Citizen participation will include those not listed on the printed agenda who wish to speak. The Village President, at his discretion, may call on members of the audience to speak at any time.

RULE 3: BEHAVIOR OF COUNCIL MEMBERS

The President or any Trustees may request a roll call of the Council, and the names of absentees shall be noted by the Clerk. The Council shall take such action as it deems appropriate to reprimand Council members absent without reasonable excuse.

The Council shall determine if the behavior of any of its members, or any Village official present at the meeting, is interfering with the conduct of Council business. Upon the concurrence of a simple majority, any member or official shall be excused from the Council meeting.

RULE 4: VOTING

All votes of the Council shall be by roll call. All Trustees shall vote on all matters before the Council, unless a Trustee has a financial interest in any matter before the Council, in which case the Trustee shall not vote on the matter.

RULE 5: CONDUCT OF DISCUSSION: DEBATE

During Council discussion and debate, no Trustee shall speak until recognized by the President. The Trustee shall confine himself or herself to the question at hand and avoid personalities. Each Trustee shall speak no more than two times on a given question and for no longer than five minutes each time, unless unanimous consent is given by the other Trustees.

RULE 6: PUBLIC HEARINGS

Any citizen may address Council at a Public Hearing. The citizen must give his or her name and address to be recorded by the Village Clerk. The citizen must limit his or her presentation to five minutes. Any citizen representing a bona fide group may speak for ten minutes.

RULE 7: RIGHT TO DELAY CERTAIN PROCEEDINGS

No resolution or proceeding of the Council imposing taxes or assessments or requiring the payment, expenditure of money or property, or creating a debt or liability, shall be allowed at the same meeting at which it is introduced, if objection be made by one member, unless by a two-thirds vote of the members present.

Any motion to adjourn shall always be in order, except when the last preceding business was a motion to adjourn. That and motions to lay on the table and to limit debate, shall be decided without debate.

RULE 8: ORDER OF MOTIONS DURING DEBATE

When any question is under debate, no motion shall be received but the following, and they shall have precedence in the order listed below:

Motion to Adjourn
Motion to Lay on Table
Motion to Limit Debate
Motion to Postpone to a Certain Day
Motion to Commit
Motion to Amend

RULE 9: MOTION TO LIMIT DEBATE

At any time during a discussion or debate of a question, a Trustee may move to limit debate. This motion after receiving the affirmative votes of at least two-thirds or the Trustees present, will have the effect of limiting any member to speak for not more than one additional five minute period on the basic question, provided that member has not spoken twice, in which case he or she may not speak again. This motion, upon being made and supported shall not be debated.

RULE 10: RECONSIDERATION OF QUESTIONS

When a question has been taken it shall be in order for any member voting with the prevailing side to move a reconsideration thereof at the same or next regular meeting, but no question shall be considered a third time.

RULE 11: ALTERING AND AMENDING COUNCIL RULES

Council adopted rules may be altered or amended by a vote of a majority of the members, if notice of the proposed change shall have been given at a preceding regular meeting of the Council, and a written copy of the proposed change has been distributed to all members.

RULE 12: CITIZENS ADDRESSING COUNCIL DURING COUNCIL MEETINGS

Any citizen addressing Council at the appropriate portion of the agenda, shall limit his or her

time to five minutes, unless speaking for a bona fide group, in which case ten minutes shall be allowed.

RULE 13: TAPING OF COUNCIL MEETINGS (Approved 8/24/87)

Any Citizen may tape a Council meeting by audio or video machines if such machine is powered by an independent power system (i.e. batteries) and is not to rely on power from within the Council meeting room. Video tape machines shall be positioned behind the last row of the audience chairs in such a manner as not to interfere with the audience's view.

RULE 14: ABSENCE OF RULES (Approved 8/24/87)

In the absence of a Council rule, Robert's Rules of Order will prevail.

RULE 15: WAIVING COUNCIL RULES (Approved 8/24/87)

Any Council rule may be waived by a simple majority of the Council members present.

DEXTER VILLAGE COUNCIL
SUMMARY OF BILLS AND PAYROLL COSTS

APRIL 8, 1991

PAYROLL COSTS (PAGE 2)	\$ 14,759.12
BILLS DUE (PAGE 4)	45,245.06
INDUSTRIAL PARK FUNDS (PAGE 5)	80.75
PETTY CASH (PAGE 6)	<u>94.99</u>
TOTAL BILLS AND PAYROLL COSTS ALL FUNDS	<u>\$ 60,179.92</u>

PAYEE—EXPLANATION	CODE	101 GENERAL	206 FIRE	202 MAJOR ST.	203 LOCAL ST.	590 SEWER	591 WATER
<u>PAYROLL COSTS - MARCH 23, 1991</u>							
Sandra J. Egeler		524.76	58.30				
Janet C. Karvel		148.10-G 148.10-R					
James M. Palenick		94.98		118.73	118.73	148.10 118.73	148.10 118.73
Larry N. Wagner			681.88				
Kurt J. Augustine		92.27		184.53	92.26		
Keith L. Kitchen		214.34		214.34	107.16		
Patrick A. McKillen		300.29		300.29	150.14		
Derek R. Wiseley		201.48		151.11	50.37		
Thomas C. Desmet						894.28	
Andrea Dorney						422.20	
Edward A. Lobdell						686.72	
Daniel L. Schlaff						93.42	440.45
Larry C. Sebring						204.91	299.49
<u>PAYROLL COSTS - MARCH 30, 1991</u>							
Sandra J. Egeler		174.92	58.30				
Janet C. Karvel		88.86-G 148.10-R					
James M. Palenick		379.95		118.73	118.73	148.10 118.73	148.10 118.73
Larry N. Wagner			613.69				
Kurt J. Augustine		92.27		198.94	192.22		
Keith L. Kitchen		107.17		219.26	219.26		
Patrick A. McKillen				450.45	225.22		
Derek R. Wiseley		251.86		100.74	100.74		
Thomas C. Desmet						625.99	
Andrea Dorney						474.98	
Edward A. Lobdell						618.04	
Daniel L. Schlaff						222.30	266.94
Larry C. Sebring						441.36	189.15
TOTAL PAYROLL COSTS		2,967.45	1,412.17	2,057.12	1,374.83	5,217.86	1,729.69

DATE APRIL 8, 1991

PAYEE—EXPLANATION	CODE	101 GENERAL	206 FIRE	202 MAJOR ST.	203 LOCAL ST.	590 SEWER	591 WATER
Amer Water Wroks Assoc.	556-965						36.10
Ann Arbor News	400-901	245.44					
Business Resources, Inc.	172-727	98.52					
Construction Bookstore, Inc.	556-965						30.00
Curtin Matheson Scientific, Inc.	548-743					322.51	
Detroit Edison -							
8360 Huron/CW lift sta.	548-920					3,766.11	
3620 Central/3676 Central	556-920						1,630.88
8050,8140,7892,8014 MAIN	VARIOUS	268.95					
Callender & Dornbos, Inc.	474-740				100.28		
Dexter High School Print Shop	441-740	13.85					
Dexter Mill	548-740					5.70	
Dexter Office Supply	VARIOUS	62.57				11.01	8.64
Dexter, Village of	VARIOUS	19.55				44.58	
Doubleday Bros & Co.	191-901	312.93					
Etna Supply Co.	556-977						745.68
F&S Engravers-Council	101-956	199.90					
Grainger	548-977					332.55	
Grice Industries, Inc.	556-977						505.00
Gross Equip/Feldkamp Tire	441-939	165.62					
Haas-Transmission service, Inc.	441-939	2,778.12					
HACH company	548-743					62.63	
Hackney Ace Hardware	VARIOUS	95.28				2.89	32.92
Layne-Northern Company	556-937						1,500.00
Len's Rubbish -contract 3/91	528-816	10,557.19					
" " - extra dump fees	528-816	2,569.75					
Mayer Schairer Co.	VARIOUS	33.44					
MI Bell - 426-4572	VARIOUS					111.63	55.81
MI Municipal League/seminar	172-965	32.00					
" " /Books-Charter	101-956	36.00					
MI Water Pollution Control/sem.	556-965						35.00
Municipal Supply Co.	556-937						118.53
Orchard, Hiltz & McCliment	VARIOUS	955.00					
Parts Peddler Auto Supply	VARIOUS	130.98					3.98
Pitney Bowes/meter maint.	172-937	195.00					
Ram Communications of MI	441-853	37.00					
Roto-Rooter	548-826					240.00	

BILLS DUE PAGE 4 OF 6
DATE APRIL 8, 1991

PAYEE—EXPLANATION	CODE	101 GENERAL	206 FIRE	202 MAJOR ST.	203 LOCAL ST.	590 SEWER	591 WATER
S.F. Strong, Inc.	265-740	25.15					
Umstead Manufacturing Co.	463-740				30.00		
W.C.S.D. -3/91 contract	301-802	15,757.00					
W.D.C.-Dues-4/02 thru 6/30/91	101-815	298.39					
Len's Rubbish-recycle 03/91	528-816.020	625.00					
TOTAL BILLS DUE		35,512.63			130.28	4,899.61	4,702.54

VILLAGE OF DEXTER COUNCIL PROCEEDINGS

BILLS DUE
DATE: 04/08/91

<u>PAYEE-EXPLANATION</u>	<u>CODE</u>	<u>CONS'T & ENGINEERING FUND</u>
Contractor Publishing Co.	590-549.00-973.210	\$ 80.75
	TOTAL BILLS DUE	\$ 80.75

DEXTER VILLAGE COUNCIL

APRIL 8, 1991

PETTY CASH

ADMINISTRATIVE

Council tape recorder, etc.	101-101-956	\$ 38.31
Postage	101-172-727	4.96
Coffee, supplies, etc.	101-727-727	11.08
Mileage (County Building, etc)	101-253-956	8.32
Rug shampoo	101-265-935	6.23

D.P.W.

U.P.S. charges	101-441-727	8.14
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SEWER DEPT.

Wash truck	590-548-939	2.00
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L.D.F.A.

Postage (mail audit reports)	15.95
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TOTAL PETTY CASH ESPENDED ALL FUNDS	<u>\$ 94.99</u>
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DEXTER VILLAGE COUNCIL

SPECIAL MEETING

APRIL 13, 1991

RETREAT AGENDA

9:00 A.M. - CHELSEA COMMUNITY HOSPITAL - 755 S. MAIN STREET,
CHELSEA, MI - DINING ROOM A

CALL TO ORDER

ROLL CALL

NON-ARRANGED CITIZEN PARTICIPATION

TOPICS OF DISCUSSION:

1. PERSONNEL NEEDS; LONG-TERM STRUCTURE
2. SOLID WASTES
3. PARK AND RECREATION
4. ORDINANCE UPDATE
5. FACILITIES
6. INFRASTRUCTURE NEEDS
7. ORGANIZATION APPROACH - VILLAGE VERSUS CITY

CONCLUSIONS: GOALS 7 OBJECTIVES REACHED

ADJOURNMENT

THERE WILL BE NO FORMAL ACTION TAKEN AT THIS MEETING!!

DEXTER VILLAGE COUNCIL
SPECIAL MEETING
GOAL SETTING/RETREAT
APRIL 13, 1991
9:00 AM
CHELSEA COMMUNITY HOSPITAL
755 S. MAIN STREET
CHELSEA, MI

The meeting was called to order by the president at 9:20 AM.

ROLL CALL

Present: Pearson, Gordenier, Gregory, Rush, Baroni, Yates
Absent: Genske

Topics of Discussion

1. Personnel needs; Long term structure

President Yates informed Council that projected needs for the next couple of years would include the addition of a full time employees in the DPW, WWTP and the Village office.

2. Solid Wastes

Discussion was held regarding placement of Village dumpsters and possible relocation of said dumpsters, recycling plastics, bids from refuse contractors, suspected problems with rodent infestation in the downtown area, screening requirements to dumpsters. The Village ordinance will be reviewed to see what items can be enforced.

3. Park and Recreation

Discussion was held regarding traffic flow from the Cottage Inn exit onto Central Street, parking and traffic flow in front of the Gingerbread House on Main Street between 3 and 6 pm. Further discussion included the feasibility of the use of the Hall property as an alternative site for Village composting, dedication of park land, future acquisition of park land, the feasibility of the banning of leaf burning in the Village.

4. Ordinance Update

Discussion was held regarding the current sign ordinance, updating of said ordinance by the zoning inspector, the drafting of a proposed fire code ordinance.

5. Facilities

Discussion was held regarding the recent bond issue for downtown improvements and the possibility of dividing the improvement program into parts, the possibility of doing the plan with tax dollars, the need for expanded office facilities, the possibility of combining office facilities with a senior citizen center, the sale of current facilities and the acquisition of larger facilities at another site. The possibility of appointing a committee at the next Council meeting to investigate office needs and to explore possible solutions was discussed. Discussion was also held

regarding sidewalk addition/replacement/repair.

6. Infrastructure Needs

Discussion was held regarding curb and gutter installation in various areas of the Village as well as sewer extensions.

(A point also made at this point in the agenda was an explanation made by the president who stated that request for items to be placed on the agenda are to be made through him. Council discussed the suggestion that items added to the agenda at a meeting under the heading- Approval of Agenda- will hopefully be kept to a minimum to allow members as well as citizens to prepare for a meeting. Also discussed was the timely submittal and publication of minutes in the Dexter Leader.)

Discussion was held regarding the payment of a \$300 membership fee to belong to the washtenaw County traffic Study Group.

7. Village Versus City

Discussion was held regarding the advantages/disadvantages of becoming a small city. The subject will become an agenda item with the appointment of a committee to follow.

CONCLUSIONS: GOALS 7 OBJECTIVES REACHED

1. Request the Village Manager establish a regular street sweeping program.

2. Investigate safety issues connected with traffic flow at the Cottage Inn exit and Central Street.

3. Update Ordinances, i.e. Sign Ordinance, and to establish an official park zoning.

4. Draft a proposed an ordinance for fire codes in the downtown area.

5. Investigate alternatives to allowing open burning in the Village.

6. Establish an alternative compost site and to remove compost material from the Smith Woods site by Fall '91.

7. Investigate the affixing of informational stickers regarding the 911 System to next water billing.

8. Establish a public awareness/communication program with a brochure and flow charts by Fall '91.

9. Draft a Village Manager evaluation form as the current form is slanted toward the evaluation of other Village employees.

10. Secure a list of all Village accounts and what fund they are for.

11. Improve the Village sound system with the purchase of a microphone for each individual and to purchase a tape recorder with a counter to link up with the system.

Further discussion included the possibility of restructuring the ZBA, setting a special meeting to take public comment on various subjects, establishing a suggestion box to be located in the Village offices.

The meeting was adjourned at 1:00 PM.

Respectfully submitted,


Donna L. Fisher
Village Clerk

422-91

DEXTER VILLAGE COUNCIL
APRIL 22, 1991
8:00 PM
FIRST OF AMERICA BANK BUILDING
8123 MAIN
DEXTER, MI 48130

The meeting was called to order by the president at 8:55 PM.

ROLL CALL

Present: Gordenier, Baroni, Rush, Gregory, Pearson, Genske, Yates

Absent: None

PUBLIC HEARING

1. Proposed ordinance to provide for property tax abatement under P. A. 346 (1966) for MSHDA - financed multi-family affordable housing units (Walkabout Creek Limited Dividend Housing Assoc. Limited Partnership; Sponsors)

A) Ross Stephenson - Dexter Community Schools

R. Lundy, School Board Treasurer, addressed the Council speaking against the adoption of the ordinance.

B) Philip Seybert - W.S. Smith Co.

Mr. Seybert addressed the council urging the Council to adopt the proposed ordinance.

C) Doug Mernitz - M.S.H.D.A.

Mr. Mernitz answered questions from Council members regarding MSDHA financing.

The following individuals spoke against the adoption of the proposed ordinance -

L. Henes, 7820 Third Street

H. Liddiard, 7638 Second Street

D. Palmer, 7603 Cottonwood Lane

P. Puddock, 7560 Forest Avenue

L. Knapp, 7550 Grand Avenue

K. Fisher-Dworek 7105 Ann Arbor

The following citizens spoke in favor of the adoption of the proposed ordinance -

R. Tucker, 2490 Dongara Drive

W. Curran, 2470 Dongara Drive

D. Mitchell, 7797 Dongara Drive

R. Milouski, 2080 Kookaburra Ct.

D. DeAngelo, Walkabout Creek

S. Walker, Walkabout Creek

R. Wolinski, 2450 Baker, spoke neither in favor or against the adoption of the proposed ordinance but urged Council to take time to review the document carefully.

The hearing closed at 10:08 PM.

APPROVAL OF MINUTES

Moved Genske, support Baroni to approve the minutes of the April 8, 1991 regular meeting as presented.

Ayes: Gordenier, Baroni, Rush, Gregory, Pearson, Genske, Yates
Nays: None

Moved Baroni, support Rush to table the approval of the minutes of the April 13, 1991, special meeting.

Ayes: Gordenier, Baroni, Rush, Gregory, Pearson, Genske, Yates
Nays: None

PRE-ARRANGED CITIZEN PARTICIPATION

1. American Legion Presentation

Mr. I. Schmidt and Mr. B. Dettling presented an American flag to the Village. Mr. Schmidt also made request that Community church bells be rung at 11:00 AM, on May 30th.

APPROVAL OF AGENDA

Moved Baroni, support Gregory to approve the agenda as amended. (Copy attached)

Ayes: Gordenier, Baroni, Rush, Gregory, Pearson, Genske, Yates
Nays: None

COMMUNICATIONS

Council received a letter from refuse contractor Lens's Rubbish with additional information regarding their proposed contract.

BILLS AND PAYROLL

Moved Baroni, support Gregory to approve bills and payroll costs in the amount of \$26,411.38.

Ayes: Gordenier, Baroni, Rush, Gregory, Pearson, Genske, Yates
Nays: None

REPORTS

Sheriff-Sgt. Stielow presented the February report.

Fire Department- There was no report as Trustee Baroni was out of town.

Planning Commission- Council received written report. (Copy attached)

Parks Commission- Council received written memo. (Copy attached)

V. Manager- Council received written report.

ORDINANCES AND RESOLUTIONS

1. Village of Dexter tax exemption ordinance; provision for service charge in lieu of taxes.

Moved Baroni support Gregory to adopt the proposed tax exemption ordinance.

Ayes: None

Nays: Gordenier, Baroni, Rush, Gregory, Pearson, Genske, Yates

2. Resolution pledge of limited tax full faith and credit; L. D.F.A. bond issuance \$975,000.

Moved Baroni, support Gregory to adopt the resolution pledge of limited tax full faith and credit. (Copy attached)

Ayes: Gordenier, Baroni, Rush, Gregory, Pearson, Genske, Yates
Nays: None

OLD BUSINESS

1. Discussion of weather warning sign maintenance and/or replacement. (On Table)

2. Lion's Club request for approval of positioning of Veteran's memorial.

Moved Baroni, support Genske to accept the Parks Commission recommendation for positioning of the Veteran's Memorial. (Recommendation attached)

Ayes: Gordenier, Baroni, Rush, Gregory, Pearson, Genske, Yates
Nays: None

NEW BUSINESS

1. Preliminary Site Plan Review- Cousins Heritage Inn Expansion. 7954 Ann Arbor Street. P. Cousins applicant.

Moved Genske support Baroni to accept the planning commission recommendation to grant preliminary site plan approval to Cousins Heritage Inn at 7954 Ann Arbor Street.

Ayes: Gordenier, Baroni, Rush, Gregory, Pearson, Genske, Yates
Nays: None

2. Preliminary Site Plan Review - Retail Shopping Plaza
Dexter-Ann Arbor Road; Equitable Group, Applicants

Moved Baroni, support Baroni to table the subject at the applicant's request.

Ayes: Gordenier, Baroni, Rush, Gregory, Pearson, Genske, Yates
Nays: None

3. Combined Site Plan Review - Carpenter Lumber Relocation
3512 Broad St; Phil Carpenter/Conrail applicants.

Moved Baroni, support Gregory to grant combined site plan approval for Carpenter Lumber relocation to 3512 Broad.

Ayes: None

Nays: Gordenier, Baroni, Rush, Gregory, Pearson, Genske, Yates

4. Award Contracts For Solid Waste Collection and Disposal and
Curb-Side Recycling

Moved Baroni, support Genske to accept the V. Manager's recommendation to award a three year contract to Len's Rubbish. (Contract on file)

Ayes: Gordenier, Baroni, Rush, Gregory, Pearson, Genske, Yates
Nays: None

5. Award Contract For Construction Of Sanitary Trunk Sewer

Moved Baroni, support Pearson to accept the Village Manager's recommendation to award the contract for the construction of a new sewer system down Baker Road to U-Tech subject to their providing bond, and insurance in accordance with the terms of the proposal.

Ayes: Gordenier, Baroni, Rush, Gregory, Pearson, Genske, Yates
Nays: None

6. Purchase of Rotary Street Sweeper

Moved Genske, support Baroni to expend the budgeted funds to purchase a rotary street sweeper at a cost not to exceed \$4840.

Ayes: Gordenier, Baroni, Rush, Gregory, Pearson, Genske, Yates
Nays: None

7. Hiring of Half-Time Zoning Enforcement Officer/Planner.

Moved Baroni, support Gregory to hire M. Lamkin as a half-time zoning enforcement officer/planner at a salary of \$12,250, with no benefits, and a 20 hour work week.

Ayes: Gordenier, Baroni, Rush, Gregory, Pearson, Genske, Yates
Nays: None

8. American Legion Request For Poppy Sales and Memorial Day Parade

Moved Baroni, support Gregory to grant May 17 and 18 poppy days and Memorial Day parade approval to American Legion Post #557.

Ayes: Gordenier, Baroni, Rush, Gregory, Pearson, Genske, Yates
Nays: None

9. Dexter Kiwanis Club New Car Raffle

Moved Baroni, support Gregory to approve the Kiwanis Club request for approval to solicit funds in the downtown area with their new car raffle.

Ayes: Gordenier, Baroni, Rush, Gregory, Pearson, Genske, Yates
Nays: None

10. Dexter United Methodist Church Request To Close Street

Moved Pearson, support Baroni to approve the United Methodist Church request to close Fourth Street on Friday, May 17, 1991 up to 2 hours prior and during their auction.

Ayes: Gordenier, Baroni, Rush, Gregory, Pearson, Genske, Yates
Nays: None

11. Parks Commission Appointment

Moved Genske, support Gregory to table the subject.

Ayes: Gordenier, Baroni, Rush, Gregory, Pearson, Genske, Yates
Nays: None

12. D.D.A. Appointments

Moved Baroni, support Gregory to reappoint F. Schmidt to a 4-year term and to appoint M. Lippert to the unexpired term of E. Going on the D.D.A.

Ayes: Gordenier, Baroni, Rush, Gregory, Pearson, Genske, Yates
Nays: None

13. Ad-Hoc Committee Appointments

Moved Pearson support Gregory accept the president's recommendation to appoint Baroni and Yates to the Sr. Citizen Facilities Committee.

Ayes: Gordenier, Baroni, Rush, Gregory, Pearson, Genske, Yates
Nays: None

Moved Genske support Gregory to accept the President's recommendation to appoint Gordenier, Baroni, and Gregory to the Village Office Facilities Committee.

Ayes: Gordenier, Baroni, Rush, Gregory, Pearson, Genske, Yates
Nays: None

PRESIDENT'S REPORT

Moved Gordenier, support Baroni to accept the president's recommendation to appoint Yates, Rush and Baroni to the Public Warning System Committee.

Ayes: Gordenier, Baroni, Rush, Gregory, Pearson, Genske, Yates
Nays: None

ADJOURNMENT

Moved Genske, support Gregory to adjourn the meeting at 11:10 PM.

Ayes: Gordenier, Baroni, Rush, Gregory, Pearson, Genske, Yates
Nays: None

Respectfully Submitted,



Donna L. Fisher
Village Clerk

Filing Approved 5-13-91

VILLAGE MANAGER'S REPORT - April 22, 1991

- The compiled test results and analysis performed in conjunction with the Villages recent construction of a potable water test well is now complete and will be received in the form of a comprehensive report from our engineers in the next week.

- The alternatives for disposition of the topsoil in the Dexter Business and Research Park, because of any number of economic, logistical, and legal and/or public relations concerns, have dwindled to a single possibility. We will have to specify in the contract bid specifications that all the soil be redistributed on-site in an even layer following the completion of excavation, grading, and site improvements. Prior to that time, anyone needing topsoil would be encouraged to remove it from the site without charge.

- In preparing for the closing of the land contract purchase of the Carpenter Lumber property for use as a new D.P.W. facility, our attorney has discovered some concerns with regard to a pre-existing land contract between Carpenter and the previous and still "title-holding" owner. The existing land contract contains a cross-default provision and may be past-due in a sum which exceeds the amount we are paying down. Until all our concerns can be worked out and the Village's interest is fully protected and secured, we will not close. At this point, I would guess our original closing date will be delayed to some extent. I will continue to advise Council as the matter progresses.

- Included in your packet is a memo from DPW Superintendent McKillen with regard to information he has gathered, at my request, concerning the installation of a new weather warning siren and the possible repair of our existing siren(s). It is clear there would be considerable expense with either alternative and no money has been budgeted for such measures. Council will have to determine the direction they choose to pursue: a new siren system; a possible repair of the existing system; or the elimination of the system. If an alternative other than elimination is chosen, we must determine a way to fund such an expense.

- The rotary sweeper proposed for purchase as part of the agenda is the same unit approved of last year and budgeted for in the FY 91/92 General operating budget. The cost (\$4,840.00 complete) has not changed and provides for the 6-foot wide unit with one gutter broom and self-contained sprinkler system.

DEXTER VILLAGE COUNCIL
SUMMARY OF BILLS AND PAYROLL COSTS

APRIL 22, 1991

PAYROLL COSTS (PAGE 2)	\$ 17,685.44
BILLS DUE (PAGE 3)	8,329.44
INDUSTRIAL PARK FUNDS (PAGE 4)	<u>396.50</u>
TOTAL BILLS AND PAYROLL COSTS ALL FUNDS	<u><u>\$ 26,411.38</u></u>

PAYEE—EXPLANATION	CODE	101 GENERAL	206 FIRE	202 MAJOR ST.	203 LOCAL ST.	590 SEWER	591 WATER
<u>PAYROLL COSTS - APRIL 6, 1991</u>							
Sandra J. Egeler		408.15	58.30				
Janet C. Karvel		29.62-G					
		148.10-R				148.10	148.10
James M. Palenick		474.94		118.73	118.73	118.73	118.73
Larry N. Wagner			681.88				
Kurt J. Augustine				306.84	306.84	17.05	
Keith L. Kitchen				214.35	214.35		
Patrick A. McKillen		375.37		187.69	187.69		
Derek R. Wiseley		50.37		125.93	125.93		
Thomas C. Desmet						894.28	
Edward A. Lobdell						686.72	
Andrea M. Dorney						527.76	
Daniel L. Schlaff						120.12	413.75
Larry C. Sebring						144.27	496.96
<u>PAYROLL COSTS - APRIL 13, 1991</u>							
Sandra J. Egeler		524.76	58.30				
Janet C. Karvel		148.10-G					
		148.10-R				148.10	148.10
James M. Palenick		474.94		118.73	118.73	118.73	118.73
Larry N. Wagner			681.88				
Kurt J. Augustine		184.54		138.40	138.40		
Keith L. Kitchen		214.34		160.76	160.76		
Patrick A. McKillen		150.15		150.15	150.15		
Derek R. Wiseley		201.48		151.11	151.11		
Thomas C. Desmet						804.85	
Andrea M. Dorney						527.76	
Edward A. Lobdell						686.72	
Daniel L. Schlaff							427.10
Larry C. Sebring						320.62	320.62
Loren P. Yates - President 4/91		400.84					
Donna L. Fisher - Clerk & Planning Comm. Sec.		366.68					
Rita A. Fischer - Treasurer		150.84					
Troy Maloney - extra help F.D.			100.12				
Michael West - extra help F.D.			42.36				
PLANNING COMMISSION MEMBERS 1990/91		810.00					
TOTAL PAYROLL COSTS		5,261.32	1,622.84	1,672.69	1,672.69	5,263.81	2,192.09

PAYEE--EXPLANATION	CODE	101 GENERAL	206 FIRE	202 MAJOR ST.	203 LOCAL ST.	590 SEWER	591 WATER
Ann Arbor Implement Co.	VARIOUS	26.95				26.95	
Ann ARbor News	410-901	15.60					
AT&T Credit Corp.	VARIOUS	59.09				41.09	
B-J Alternator Genator Service	441-939	50.22					
Barrett Paving Materials Inc.	463-740			158.80			
Boullion Sales, Inc.	441-937	38.63					
Business Resources	VARIOUS	8.96					
Contractors Tool, Inc.	474-740			89.50			
Curtin Matheson Scientific, Inc	548-743					146.70	
Detroit Edison/St lighting	448-920	1,967.08					
Dexter Leader	VARIOUS	172.80					
Gundrum Roofing Co., Inc.	265-935	139.00					
Long, Clark & Baker	VARIOUS	2,222.00					
Marathon Petro Co.	VARIOUS	543.19				11.85	23.71
MICHcon - 8140 & 8050 Main	VARIOUS	580.91					
" - 8360 Huron	548-920					354.15	
O'Grady - Payment #16	265-970.010	600.00					
Orchard, Hiltz & McCliment	400-825.001	577.50					
Recycle Ann Arbor	528-816.020	390.14					
S.F. Strong, Inc.	441-740	15.57					
Speard Fire & Safety Services	265-935	30.00					
TeleDIAL America	172-853	39.05					
TOTAL BILLS DUE		7,476.69		248.30		580.74	23.71

VILLAGE OF DEXTER COUNCIL PROCEEDINGS

BILLS DUE

DATE: APRIL 22, 1991

<u>PAYEE-EXPLANATION</u>	<u>CODE</u>	<u>CONS'T & ENG.</u>
CHRIS MAST CONSTRUCTION SERVICE	251-000.000-825.000	\$ 270.00
CONTRACTOR PUBLISHING COMPANY	251-000.000-965.054	76.50
AMERICAN TITLE CO. OF WASHTENAW	251-000.000-970.100	<u>50.00</u>
	TOTAL BILLS DUE	<u>\$ 396.50</u>

April 16, 1991

Karen Fisher Dworek
7105 Dexter-Ann Arbor Rd.
Dexter, MI 48130

Mr. Loren Yates, President, and
Dexter Village Council
c/o Dexter Village Office

Dear Council Members,

I am hereby expressing my interest in serving on the Dexter Village Council, through appointment, to serve as a Trustee to fill the recently vacated seat by Mr. Carl Genske.

I feel I understand the qualifications of a Trustee, and have experience of how the Council functions through my frequent observations and participation as an audience member over the past three years.

I am concerned with the growth of Dexter and committed to preserving it's historic value and the high quality of life so many of us have enjoyed raising our families in.

I believe I can objectively consider all pertinent data that applies to the decision making process, and firmly believe in democracy and debate so that all avenues of impact are explored, and discussed prior to decisions being made.

Respectfully submitted,

Karen Fisher Dworek

Karen Fisher Dworek

Enclosure: Citizen endorsements

4-16-91

We, the undersigned, do hereby support the appointment
of Karen Fisher Dworek; to serve as a Dexter Village Council
Trustee, to the recently vacated Trustee seat.

NAME:

ADDRESS:

1	Patricia J. Doe	7540 Forest Dexter
2	Chris Gumbach	7195 DEX-A ² RD. Dexter
3	May L. Smith	7195 Dexter-A ² Rd. Dexter
4	J. H. Cole	7155 DEXTER-Ann Arbor Rd. Dexter
5	Kathy Gardner	7185 Ann Arbor Rd. Dexter, Mi.
6	William Steptoe	7250 Dan Hoey Rd. Dexter, Mi.
7	Mary Ann Steptoe	7250 Dan Hoey Rd. Dexter, Mi.
8	Ira Kamp	7651 Dan Hoey Rd. Dexter, Mi.
9	Dorothy E. Kamp	7651 Dan Hoey Rd. Dexter, Mi.
10	James D. H.	7265 Dexter-Ann Arbor Rd. Dexter, Mi.
11	Jennifer Portner	7265 Dexter Ann Arbor Rd. Dexter, Mi.
12	Clara L. Gregory	7251 Dexter A. Rd. Dexter, Mi.
13	Ann M. Gregory	" " " " " "
14	Mary Rush	7430 5th Dexter, Mi. 48130
15	Patricia A. Seal	7127 Dexter-A ² Rd. 48130
16	Phyllis M. Erb	7127 DEXTER/A ² Rd. DEXTER MI. 48130
17	Katherine Loy	3656 Cushing Ct. Dexter 48130
18	Mabel M. Duvall	7105 Dexter-Ann Arbor Rd. Dexter, MI 48150
19		
20		
21		
22		
23		
24		

3268 Central,
Dexter, Michigan
48130
April 22, 1991

Dear Mr. President and Members of the Council:

This letter contains some of our concerns about the expansion and changes in the Heritage Inn. But first of all let me explain that I feel that in Cousins request for a Variance in which he complains that I am not in compliance is grossly improper. The structure which he refers to is my garage which has been in that same spot for nearly a hundred years!!! That old barn has held horses and coffins when the house was an undertaking establishment. What kind of zoning ordinances were there then?

I shall explain my concerns and some solutions to you, but most of them are not applicable since you already have your work cut out for you. Enforce the ordinances. If these requests are granted then the ordinances mean nothing and anyone can request that they be exempted. Regardless of personal preference, I think your duty is clear and that you should do your job.

Over the period of time since the restaurant has become operational the traffic in the alley has increased considerably. The proposed route through the property will channel all vehicles which park on the restaurant property to exit into and through the alley increasing the traffic even more. Many of the cars which park in the lot now belong to restaurant employees or the owners, so they would continue to use the alley as a driveway and the other parking places would also feed into the alley. If the plans as they are now are put into effect, the first 6 or 8 cars to arrive for dinner will find a parking place in the lot. The others will drive through, find nothing because the employees have filled the parking lot and park on the street. Most delivery trucks block the alley when leaving supplies even though there is often enough room that if they pulled over a little, the right of way would be open.

A garbage dumpster is placed at the back of the presently existing parking lot and is emptied by the contracted village rubbish collector. Until the last few days the dumpster has been placed so that most of the time it sticks out beyond the property line of the restaurant into the alley. The placing of the dumpster makes exiting from my driveway and my neighbor from his, hazardous since the container blocks the view of the two way traffic. While Mr. Cousins certainly has the right to put his property to its most prudent use, it would seem that neighborhood safety and satisfaction should also be a factor. In addition, the dumpster smells bad since it often contains raw garbage which has either not been placed in a

plastic bag initially or has been spilled from it. Flies and maggots are common.

I am concerned about the proposed parking lot since it will be used primarily at night - it will be lighted. Lights should be screened so that we do not have them interfering with evening activities or entertainment in our yard, or even more importantly focused so that they do not come in our windows disturbing our personal comfort and privacy.

Traffic entering the restaurant parking lot will enter from Main street and go up a slight grade before it turns to go into the proposed lot. I requested an eight foot screening fence be installed to help reduce the noise that will be created by 80 additional diners trying to get into the parking lot, the glare from their headlights, the slamming of car doors and the bustling activity that many additional cars will create. Mr. Cousins made me aware that there is a village ordinance that fences be no taller than six feet. Because of the incline from Main to the back of the property I feel that the additional two feet is necessary. Mr. Cousins has agreed to install a fence on the property line six feet high from the point where his property, mine, and the Cottage Inn have a common corner to the southwest corner of my garage and a picket fence on the rest of our property line. That fence is to be on the property line dividing the properties or on his property. The picket fence is not satisfactory. It does not meet the Village of Dexter Zoning Ordinance Section 5.04 Section B.

There are a number of answers to the problems which a restaurant creates. One consists primarily of just getting along with the neighbors. If the proposal and driving route is approved as it stands then paving the alley from the drive to the sidewalk would eliminate a dust problem from the traffic. Moving the dumpster to the spot in front of the kitchen, where Cousins parks his van, would eliminate the blind spot in driving into the alley from our driveways. I suspect it would also eliminate the odor problem as his employees would no longer be "uneducateable" but would see that the garbage was properly sealed to eliminate flies, maggots and malodor. Good sense would also suggest enclosing the dumpster as many other restaurants do. While garbage is a by-product of food serving it does not have to be obnoxious to those in the area, and removing it does not have to be dangerous to neighbors.

Other answers are to require the traffic to enter and exit via the same entrance from Main. Creating a smaller addition to the existing building could create a few more parking spaces as could eliminating the patio, bringing the proposal a little closer to the requirements. But these are things that the planning commission should have considered. There

must be many more.

Finally., what do I expect you to do?

1. Direct Cousins to move the dumpster to a safer location, enclose it, and sanitize it daily. Preferably the parking areas presently used by Cousins himself.
2. Direct traffic in the alley as it was when the restaurant was in its early stages. Direct traffic from the northern most part of his lot down the alley to the south. Direct traffic from that midpoint down the alley to the north. Pave that section of alley from his northern most access to the alley to the sidewalk.
3. Direct that the lighting be shielded so as not to interfere with our activities.
4. Direct Mr. Cousins to comply with the Zoning Ordinance section 5.04 Section B with a six foot screening barrier type fence on all of the boundary which abuts my property, and which meets with my approval. In addition he should be responsible for maintaining that fence.

Thank you for your consideration.

Sincerely yours,

Charles R Van Aken
Rosemary Van Aken
Charles R. Van Aken,
Rosemary M. Van Aken

DEXTER VILLAGE COUNCIL

REGULAR MEETING

MAY 13, 1991

AGENDA

CALL TO ORDER 8:00 P.M. - FIRST OF AMERICA BUILDING, 8123 MAIN ST
ROLL CALL

PUBLIC HEARING

1. PILOT INDUSTRIES INC. REQUEST FOR INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE FOR A NEW FACILITY AT 2319 BISHOP CIRCLE EAST.

APPROVAL OF MINUTES OF THE APRIL 22 ,1991 REGULAR MEETING

APPROVAL OF THE APRIL 13, 1991 SPECIAL MEETING (ON TABLE)

PRE-ARRANGED CITIZEN PARTICIPATION*

APPROVAL OF AGENDA

NON-ARRANGED CITIZEN PARTICIPATION**

COMMUNICATIONS

APPROVAL OF BILLS AND PAYROLL COSTS

REPORTS

SHERIFF
FIRE DEPARTMENT
STANDING COMMITTEES AND COMMISSIONS
1. PLANNING
2. PARKS
AD HOC COMMITTEES
VILLAGE MANAGER

ORDINANCES AND RESOLUTIONS

1. RESOLUTION APPROVING APPLICATION OF PILOT INDUSTRIES, INC. FOR INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE.
2. RESOLUTION ESTABLISHING PROPOSED MILLAGE LEVY FOR 1991 AND SETTING PUBLIC HEARING FOR "TRUTH-IN-TAXATION" MILLAGE ADJUSTMENT.
3. RESOLUTION TO ESTABLISH VILLAGE PRESIDENT, PRESIDENT PRO-TEM, VILLAGE TREASURER, VILLAGE CLERK, AND DEPUTY CLERK AS OFFICIAL SIGNATORS FOR VILLAGE ACCOUNTS.
4. RESOLUTION #130591-004; APPROVAL OF LICENSE AGREEMENT FOR WIRE, PIPE, AND CABLE TRANSVERSE CROSSINGS AND LONGITUDINAL OCCUPATIONS, BETWEEN CONSOLIDATED RAIL CORPORATION AND THE VILLAGE OF DEXTER.

5. PLEDGE OF LIMITED TAX FULL FAITH AND CREDIT RESOLUTION AND AUTHORIZING FILING WITH TREASURY; SERIES II L.D.F.A. BOND ISSUE.
6. PLEDGE OF LIMITED TAX FULL FAITH AND CREDIT RESOLUTION AND AUTHORIZING FILING WITH TREASURY; SERIES III L.D.F.A. BOND ISSUE.
7. PLEDGE OF LIMITED TAX FULL FAITH AND CREDIT RESOLUTION AND AUTHORIZING FILING WITH TREASURY; SERIES IV L.D.F.A. BOND ISSUE.
8. ORDINANCE REGULATING STREET RIGHTS OF WAY - FIRST READING AND SET POSSIBLE PUBLIC HEARING.

OLD BUSINESS

1. APPLICATION OF EQUITABLE GROUP, INC. FOR PRELIMINARY SITE PLAN APPROVAL COVERING PROPERTY NORTH-EAST OF DEXTER-ANN ARBOR ROAD; RETAIL SHOPPING PLAZA (ON TABLE).
2. DISCUSSION OF WEATHER WARNING SIREN (ON TABLE).
3. PARKS COMMISSION APPOINTMENTS (ON TABLE).

NEW BUSINESS

1. ENGINEERING AGREEMENT FOR CONSTRUCTION ENGINEERING, PHASE II INFRASTRUCTURE.
2. AWARD CONTRACT FOR 1991 ASPHALT RESURFACING WORK.
3. REQUEST TO CONSTRUCT HORSE-SHOE PITS - WARRIOR CREEK PARK.
4. PURCHASE OF CURBSIDE-RECYCLING CONTAINERS.
5. REPORT OF AQUIFER SEARCH, PHASE II AND ANALYSIS OF EXPLORATION/TEST WELL.
6. ESTABLISH COUNCIL MEETING DATE FOR SECOND MEETING IN MAY.
7. REQUEST FOR PLACEMENT OF BANNER AND SIGNS - ST. JOSEPH SUMMER FUN FESTIVAL.
8. REQUEST FOR ANNUAL FLAG DRIVE - DISABLED AMERICAN VETERANS.

PRESIDENT'S REPORT

ADJOURNMENT

*PRE-ARRANGED CITIZEN PARTICIPATION WILL BE LIMITED TO THOSE WHO NOTIFY THE VILLAGE MANAGER'S OFFICE BEFORE 5:00 P.M. THE THURSDAY PRECEDING THE MEETING STATING THEIR NAME AND INTENT.

**NON-ARRANGED CITIZEN PARTICIPATION WILL INCLUDE THOSE NOT LISTED ON THE PRINTED AGENDA WHO WISH TO SPEAK. THE VILLAGE PRESIDENT, AT HIS DISCRETION, MAY CALL ON MEMBERS OF THE AUDIENCE TO SPEAK AT ANY TIME.

DEXTER VILLAGE COUNCIL
REGULAR MEETING
MAY 13, 1991
8:00 PM
FIRST OF AMERICA BANK BUILDING
8123 MAIN STREET
DEXTER, MI 48130

The meeting was called to order by President Pro Tem Genske.

ROLL CALL

Present: Gordenier, Baroni, Rush, Gregory, Pearson, Genske
Absent: Yates

PUBLIC HEARING

1. Pilot Industries Inc. Request for Industrial Facilities
Exemption Certificate for a New Facility at 2319 Bishop Circle
East.

The hearing convened at 8:02 PM.

There were no citizens who wished to speak.

The hearing closed at 8:05 PM.

APPROVAL OF MINUTES

Moved Baroni, support Rush to approve the minutes of the April
22, 1991 regular meeting as presented.

Ayes: Gordenier, Baroni, Rush, Gregory, Pearson, Genske

Nays: None

Moved Baroni, support Rush to remove the minutes from the
April 13, 1991, special meeting from the table.

Ayes: Gordenier, Baroni, Rush, Gregory, Pearson, Genske

Nays: None

Moved Baroni, support Rush to approve the minutes of the April
13, 1991 special meeting as presented.

Ayes: Gordenier, Baroni, Rush, Gregory, Pearson, Genske

Nays: None

APPROVAL OF AGENDA

Moved Baroni, support Gregory to approve the agenda as
written.

Ayes: Gordenier, Baroni, Rush, Gregory, Pearson, Genske

Nays: None

COMMUNICATIONS

Council received a letter from E. Going expressing his
interest in making a monetary contribution to Village Parks.

Council was presented with a memo from the President in his
absence.

An article from Crain's magazine highlighting the success of
the Dexter Business and Research Park was noted for Council.

NON-ARRANGED CITIZEN PARTICIPATION

P. Cousins, 7648 Forest Avenue, addressed Council requesting he be recognized to speak should the Equitable Group, Inc. request for preliminary site plan approval be taken off the table.

APPROVAL OF BILLS AND PAYROLL

Moved Gregory, support Baroni to approve bills and payroll costs in the amount of \$90,741.

Ayes: Gordenier, Baroni, Rush, Gregory, Pearson, Genske

Nays: None

REPORTS

V. Mgr.--Council received written report. (Copy attached)

ORDINANCES AND RESOLUTIONS

1. Resolution Approving Application of Pilot Industries, Inc. For Industrial Facilities Exemption Certificate

Moved Baroni, support Gregory to adopt the Resolution Approving Application of Pilot Industries For Industrial Facilities Exemption Certificate for a period of 12 years. (Copy attached)

Ayes: Gordenier, Baroni, Rush, Gregory, Pearson, Genske

Nays: None

2. Resolution Establishing Proposed Millage Levy For 1991 and Setting Public Hearing For "Truth-In Taxation" Millage Adjustment.

Moved Baroni, support Gregory to adopt the Resolution Establishing Proposed Millage Levy For 1991 and Setting Public Hearing for May 28, 1991, at 8:10 PM. (Copy attached)

Ayes: Gordenier, Baroni, Rush, Gregory, Pearson, Genske

Nays: None

3. Resolution To Establish Official Signators For Village Accounts

Moved Baroni, support Gregory to adopt the resolution naming the President, President Pro Tem, Village Treasurer, Village Clerk and Deputy Clerk as official signators for Village accounts. (Copy attached)

Ayes: Gordenier, Baroni, Rush, Gregory, Pearson, Genske

Nays: None

4. Resolution #130591-004; Approval of License Agreement For Wire, Pipe, and Cable Transverse Crossings and Longitudinal Occupations, Between Consolidated Rail Corporation and the Village of Dexter. (Copy attached)

Moved Gregory support Baroni to adopt the resolution approving agreement between Consolidated Rail Corporation and the Village of Dexter with the Village President designated signator.

Ayes: Gordenier, Baroni, Rush, Gregory, Pearson, Genske

Nays: None

5. Pledge of Limited Tax Full Faith and Credit Resolution and Authorizing Filing with Treasury; Series II L.D.F.A. Bond Issue. (Copy attached)

Moved Baroni, support Pearson to adopt the resolution Pledging Limited Tax Full Faith and Credit Resolution and Authorizing Filing with the Treasury; Series II L.D.F.A. Bond Issue.

Ayes: Gordenier, Baroni, Rush, Gregory, Pearson, Genske
Nays: None

6. Pledge of Limited Tax Full Faith and Credit Resolution and Authorizing Filing with Treasury; Series III L.D.F.A. Bond Issue. (Copy attached)

Moved Baroni, support Pearson to adopt the resolution Pledging Limited Tax Full Faith and Credit Resolution and Authorizing Filing with the Treasury; Series III L.D.F.A. Bond Issue.

Ayes: Gordenier, Baroni, Rush, Gregory, Pearson, Genske
Nays: None

7. Pledge of Limited Tax Full Faith and Credit Resolution and Authorizing Filing with Treasury; Series IV L.D.F.A. Bond Issue. (Copy attached)

Moved Baroni, support Pearson to adopt the resolution Pledging Limited Tax Full Faith and Credit Resolution and Authorizing Filing with the Treasury; Series IV L.D.F.A. Bond Issue.

Ayes: Gordenier, Baroni, Rush, Gregory, Pearson, Genske
Nays: None

8. Ordinance Regulating Street Rights of Way - First Reading and Set Possible Public Hearing

Moved Baroni, support Gregory to forward the proposed ordinance to the Planning Commission with a request for a recommendation.

Ayes: Gordenier, Baroni, Rush, Gregory, Pearson, Genske
Nays: None

OLD BUSINESS

1. Application of Equitable Group, Inc. For Preliminary Site Plan Approval Covering Property North-East of Dexter Ann Arbor Road; Retail Shopping Plaza

Moved Gordenier to remove the subject from the table. There was no support. Motion died.

The subject remains on the table.

2. Discussion of Weather Warning Siren (On Table)

Moved Rush support Baroni to remove the subject from the table.

Ayes: Gordenier, Baroni, Rush, Gregory, Pearson, Genske

Nays: None

Discussion. The Village Manager will do further research.

3. Parks Commission Appointments (On Table)

The subject remains on the table.

NEW BUSINESS

1. Engineering Agreement for Construction Engineering, Phase II Infrastructure

Moved Baroni, support Rush to approve the engineering agreement for Phase II, Dexter Business and Research Park, with Orchard, Hiltz, McCliment Inc. at a cost not to exceed \$405,365.

Ayes: Gordenier, Baroni, Rush, Gregory, Pearson, Genske

Nays: None

2. Award Contract for 1991 Asphalt Resurfacing Work

Moved Rush, support Pearson to accept the Village Manager's recommendation to award the contract for the 1991 asphalt resurfacing work to Thompson McCully for a cost of \$48,900.

Ayes: Gordenier, Baroni, Rush, Gregory, Pearson, Genske

Nays: None

3. Request to Construct Horse-Shoe Pits - Warrior Creek Park

Moved Baroni, support Gregory to approve the Parks Commission Recommendation to approve the Koch and White request to install horse-shoe pits in Warrior Creek Park. (Plan attached)

Ayes: Gordenier, Baroni, Rush, Gregory, Pearson, Genske

Nays: None

4. Purchase of Curbside-Recycling Containers

Moved Baroni, support Gregory to accept the Village Manager's recommendation to purchase 1000 recycling units imprinted with the Village logo from the Shamrock Industries at a cost of \$5.70 per unit.

Ayes: Gordenier, Baroni, Rush, Gregory, Pearson, Genske

Nays: None

5. Report of Aquifer Search, Phase II and Analysis of Exploration/Test Well

Discussion only.

6. Establish Council Meeting Date for Second Meeting in May

Moved Baroni, support Rush to set the meeting date for the second meeting in May for May 28, 1991, at 8:00 PM as per Council rules due to the Memorial Day holiday.

Ayes: Gordenier, Baroni, Rush, Gregory, Pearson, Genske

Nays: None

7. Request for Banner Placement and Signs

Moved Baroni, support Pearson to approve the St. Joseph church request to place a banner at Monument Park and a sign at Peace Park in advertisement of their Summer Fun Festival from July 10 through July 19, 1991.

Ayes: Gordenier, Baroni, Rush, Gregory, Pearson, Genske

Nays: None

8. Request For Annual Flag Drive

Moved Baroni, support Gregory to approve to Disable American Veteran's of Washtenaw County request for a flag drive fund raiser July 19 and 20, 1991, in the downtown area.

Ayes: Gordenier, Baroni, Rush, Gregory, Pearson, Genske

Nays: None


ADJOURNMENT

Moved Gregory, support Baroni to adjourn the meeting at 9:02 PM.

Ayes: Gordenier, Baroni, Rush, Gregory, Pearson, Genske

Nays: None

RESPECTFULLY SUBMITTED,



DONNA L. FISHER
VILLAGE CLERK

FILING APPROVED-----

5-28-91

DEXTER VILLAGE COUNCIL

SUMMARY OF BILLS AND PAYROLL COSTS

MAY 13, 1991

PAYROLL COSTS (PAGE 2)	\$ 24,185.06
BILLS DUE (PAGE 4)	59,249.19
INDUSTRIAL PARK FUNDS (PAGE 6)	<u>7,306.89</u>
TOTAL BILLS AND PAYROLL COSTS ALL FUNDS	<u>\$ 90,741.14</u>

PAYEE--EXPLANATION	CODE	101 GENERAL	206 FIRE	202 MAJOR ST.	203 LOCAL ST.	590 SEWER	591 WATER
<u>PAYROLL COSTS APRIL 20, 1991</u>							
Sandra J. Egeler		499.25	58.30				
Janet C. Karvel		148.10-G					
		148.10-R				148.10	148.10
James M. Palenick		474.94		118.73	118.73	118.73	118.73
Larry N. Wagner			681.88				
Kurt J. Augustine		207.60-G		46.13	46.13		
		161.47-IP					
Keith L. Kitchen		69.44-G					
		214.35-IP		187.55	80.38		
Patrick A. McKillen		225.22-G					
		14.07-IP		361.30	150.15		
Derek R. Wiseley		50.37-G					
		201.48-IP		75.55	176.30		
Thomas C. Desmet						894.28	
Andrea Dorney						527.76	
Edward A. Lobdell						686.72	
Daniel L. Schlaff						160.16	320.32
Larry C. Sebring						256.49	384.74
<u>PAYROLL COSTS - APRIL 27, 1991</u>							
Sandra J. Egeler		524.76	58.30				
Janet C. Karvel		29.62-G					
		148.10-R				148.10	148.10
James M. Palenick		474.94		118.73	118.73	118.73	118.73
Larry N. Wagner			681.88				
Kurt J. Augustine		184.53		138.40	138.40		
Keith L. Kitchen		214.33		160.76	160.76		
Patrick A. McKillen		300.30		337.84	337.84		
Derek R. Wiseley		100.74		151.11	151.11		
Thomas C. Desmet						894.28	
Andrea M. Dorney						527.76	
Edward A. Lobdell						686.72	
Daniel L. Schlaff						26.69	507.18
Larry Sebring						112.21	529.02

<u>PAYEE—EXPLANATION</u>	<u>CODE</u>	<u>101 GENERAL</u>	<u>206 FIRE</u>	<u>202 MAJOR ST.</u>	<u>203 LOCAL ST.</u>	<u>590 SEWER</u>	<u>591 WATER</u>
<u>PAYROLL COSTS - MAY 4, 1991</u>							
Sandra J. Egeler		371.71	58.30				
Janet C. Karvel		29.62-G					
		148.10-R					
James M. Palenick		474.94		118.73	118.73	148.10	148.10
Larry N. Wagner			681.88			118.73	118.73
Kurt J. Augustine		23.06-R					
		92.27-IP		46.13	46.13		
Keith L. Kitchen		107.17-G					
		214.35-IP		53.58	53.58		
Patrick A. McKillen		412.90		168.92	168.92		
Derek R. Wiseley		151.11-R					
		251.86-IP		50.37	50.37		
Thomas C. Desmet						804.85	
Andrea Dorney						527.76	
Edward A. Lobdell						686.72	
Daniel L. Schlaff							533.88
Larry C. Sebring						256.49	320.62
TOTAL PAYROLL COSTS		6,668.80	2,220.54	2,133.83	1,916.26	7,849.38	3,396.25

VILLAGE OF DEXTER COUNCIL PROCEEDINGS

BILLS DUE PAGE 4 OF 6
DATE MAY 13, 1991

PAYEE—EXPLANATION	CODE	101 GENERAL	206 FIRE	202 MAJOR ST.	203 LOCAL ST.	590 SEWER	591 WATER
A-B'S Body Frame Shop	441-939	114.70					
A&L Parts, Inc.	441-939	101.30					
Ann Arbor Implement Company	441-937	45.11					
AT&T	VARIOUS	9.21				9.21	
Barrett Paving Materials Inc.	463-740				97.96		
Baxter Healthcare Corp.	548-743					109.27	
Business Resources	VARIOUS	210.68	20.00				
Carpenter HDWR & Lumber	VARIOUS			33.70			13.50
Chelsea Lumber Company	751-740	21.44					
CONRAIL	556-942						108.35
Curtin Matheson Scientific, Inc	VARIOUS					422.25	
D & C Plumbing/Heating Supply	VARIOUS	52.70				117.36	
Detroit Edison -							
3620 & 3676 Central	556-920						1,716.47
8360 Huron/CW lift Sta.	548-920					3,911.83	
8050,8140,8014 & 7982 Main	VARIOUS	272.18					
Dexter Office Supply	VARIOUS	23.18					4.00
Dexter, Village of	VARIOUS	19.95				52.46	
Doubleday Bros & Co.	VARIOUS	122.16	236.18				
ETNA Supply Company	VARIOUS						716.09
Frank Grohs Chevrolet, inc	441-939	14.50					
FundBalance/Micro Arizala	172-937	800.00					
Grainger, W.W., Inc.	548-937					199.40	
HACH Company	548-743					38.18	
Hackney Ace Hardware	VARIOUS	39.88				95.37	16.88
Layne-Noethern Company	556-937						8,234.91
Lemle, Lisa	400-703	423.00					
Len's Rubbish/contract	528-816	10,557.19					
Len's Rubbish/extra dump fees	528-816	3,073.25					
" " /recycle fees	528-816	750.00					
Lester Bros.	751-941	150.00					
Long,Clark & Baker	265-970.100	350.00					
Mettler Instrument Corp.	548-937					463.10	
MI Bell - 426-8303	172-853	76.48					
" " - 426-4572	VARIOUS					119.88	59.96
" " - 426-8530	441-853	49.65					

DATE MAY 13, 1991

PAYEE—EXPLANATION	CODE	101 GENERAL	206 FIRE	202 MAJOR ST.	203 LOCAL ST.	590 SEWER	591 WATER
MICHcon - 8140 & 8050 Main	VARIOUS	699.87					
" " - 8360 Huron St.	548-920					282.85	
MI First Aid & Safety Co.	441-740	204.16					
Orchard, Hiltz & McCliment, Inc.	VARIOUS	3,671.00					
Parts Peddler Auto Supply	VARIOUS	144.63				156.00	
Pitney Bowes	172-941	50.25					
RAM Communications of MI	441-853	37.00					
Recycle Ann Arbor	528-816.020	624.14					
Scio Electric Service	474-825			80.00			
SEECO	548-740					18.13	
Stadium Hardware	441-977	179.99					
Technology Partners, Inc	548-937					60.00	
W.County Election Div.	191-806	171.97					
W.County Sheriff/4-91 contract	301-802	15,757.00					
" " /02 & 03 mileage	301-802.010	1,869.78					
WearGuard	VARIOUS					311.89	
Westland Tree Service	441-820	480.00					
Williams Sewer Service, Inc.	548-926					360.00	
Wolverine Truck Plaza, Inc.	441-939	17.66					
TOTAL BILLS DUE		41,184.01	256.18	113.70	97.96	6,727.18	10,870.16

VILLAGE OF DEXTER COUNCIL PROCEEDINGS

BILLS DUE
DATE MAY 13, 1991

PAYEE-EXPLANATION	CODE	CONSTRUCTION & ENG.	SEWER REPLACEMENT
AMERICAN TITLE CO. OF WASHTENAW	251-000.000-970.100	50.00	
ASSOCIATED PLUMBING & SEWER SERV.	590-598.000-937.000		449.50
CONRAIL	590.549.000-973.210	2,525.00	
CONSTRUCTION VIDEO MEDIA	251-000.733-965.054	900.00	
DETROIT EDISON	202-451.000-814.020	582.00	
JONES & HENRY ENGINEER, INC.	591-556.000-972.113		1,600.00
ORCHARD, HILTZ & McCLIMENT	251-000.000-970.100	334.00	
SCIO ELECTRIC SERVICE	590-548.000-937.000		866.39
TOTAL BILLS DUE INDUS. FUNDS		\$ 4,391.00	\$ 2,915.89

L.D.F.A. FUNDS

MOODY'S INVESTORS SERVICE	395-000.000-911.000	\$ 3,000.00
DETROIT LEGAL NEWS	395-000.000-901.000	840.00

VILLAGE MANAGER'S REPORT - May 13, 1991

- The Local Development Finance Authority, on Tuesday May 7th, awarded the first \$975,000 in a series of Tax Increment Bond issues to Michigan National Bank at a low bid of 6.563% net interest cost over 15 years. There were 5 bids submitted, they ranged from 6.563% to 6.877%; This was viewed as very positive participation and a very favorable rate - we were very pleased. The Council is now being asked to approve resolutions to authorize a pledge of limited tax full faith and credit for series II, III and IV to complete the \$3.5 million issue. Council had previously approved such a pledge for Series I, and had in fact also approved the resolution pledge for the full \$3.5 million when it was packaged as a single issue.
- Today, May 10th, there are two large contracted street-sweeper trucks in town; each scheduled to provide 6 hours of street sweeping. This is the final outside sweeping to be done prior to receipt of the street sweeper purchased by the Village.
- The contracted street painting (lining, striping, stenciling) will be completed the week of May 13th.
- The sanitary trunk sewer construction work will begin May 20th - working from the W.W.T.P. back down Fifth to Central, through the Park, and down Baker. We hope not to tear up the park area until after Memorial day.
- The street resurfacing work (contract bids & memo in your packet) must be completed by June 15th with payment not due until mid-October.
- Sidewalk replacement work will begin June 3rd when the 3 full-time D.P.W. crew members switch to a 4, 10-hour day schedule.
- 2 "summer-help" employees are being added to the D.P.W. Department as per the approved FY 91/92 budget. The first will begin on Monday, May 13th; the second will follow shortly thereafter.
- You have received the final report and analysis of the potable water test well and pump-test completed last fall. You also have Superintendent Desmet's memo in response to the report. Mr. Desmet and myself will be meeting with the Engineers who conducted the work and prepared the report soon. We wish to discuss with them what we feel are rather disappointing results and recommendations. We were planning to develop a well or wells of significantly greater capacity than was recommended and had hoped multiple wells could be grouped closer together than had been suggested (300 g.p.m. spaced 800 feet apart). There are certain assumptions on pumping and draw-down parameters which we need to evaluate further. I will continue to advise Council on further progress and recommendations.

- The Developers of the proposed Commercial/Retail Shopping Plaza (The Equitable Group of Southfield) requested, following last Council meeting at which the preliminary site plan proposal was tabled, to meet with our Attorney, myself and the Village President, to go over and understand the features being presented in their revised preliminary site plan and how that plan both matches and/or differs from those recommendations approved by the Planning Commission. We would conduct no negotiations; make no deals. We simply needed to know their position and how that position relates to good, sound planning practice; and to Local, State, and Federal law, both Statutory and Judicial. It is my responsibility, and that of our Attorney, to provide the best professional advice and recommendation available. If certain actions by the Village could lead to court action or potential liability or cost to the Village; it is our fiduciary responsibility to provide information as to that potential. If our Attorney could then provide a memo or report to that effect, he would do so, and I would provide it to Council members. However, since a member of the Planning Commission showed up at the meeting and demanded to be included in it, the developers and their Attorney chose not to meet, feeling it could not prove productive. They have submitted their revised preliminary site plan and they have requested the plan be tabled until May 28th so Council can both assess the plan, and so hopefully the Village President can be in attendance. I strongly recommend that Council table the issue until May 28th to provide more time to evaluate the plan, to hear from our Attorneys and to afford the Village President the opportunity to perhaps be able to attend the meeting.

- You will find information in your packet on FY 91/92 S.E.V. figures for the Village as a whole and the Local Development Finance Authority District, as well as proposed millage-levy figures to be adopted. You might note that I am proposing a .40 overall decrease in Village imposed millage this year (1991) vs. last year (1990). This can be accomplished given the overall conservative approach of the FY 91/92 budget; and the favorable growth of the Village and in particular L.D.F.A. S.E.V. In 1988, the assessed value of land which made up the Dexter Business and Research Park produced \$30.00 from each mil of property tax imposed. In 1991 that land will produce \$9,636.30 for each mil of tax levied, that even after all property tax abatements are figured in.

- Pilot Industries has made application for a 50% industrial facilities tax exemption for their new 73,000 square-foot technical center in the Dexter Business and Research Park. In completing the objective evaluation guidelines used by the Village to assess and grant all previous P.A. 198 abatements, Pilot received 446 of a possible 494 total points. The standard would grant 12 years for anything over 425 points. I would therefore expect that in keeping with the established policy set by the Village of Dexter, and in place and understood when attraction efforts to land Pilot were consummated, the Council will approve the P.A. 198 industrial facilities tax abatement for Pilot Industries for a period of 12 years.

DEXTER VILLAGE COUNCIL

REGULAR MEETING

MAY 28, 1991

AGENDA

CALL TO ORDER: 8:00 PM - FIRST OF AMERICA BUILDING, 8123 MAIN ST

ROLL CALL

PUBLIC HEARINGS:

1. REQUEST FOR P.A.198 INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE. THE ROSE CORP. DBA DOORS & DRAWERS, APPLICANT.
2. TRUTH IN TAXATION HEARING ON INCREASING PROPERTY TAXES (P.A.5, 1982).

DEXTER VILLAGE ZONING BOARD OF APPEALS

MAY 28, 1991

AGENDA

CALL TO ORDER 8:20 P.M. - FIRST OF AMERICA BUILDING, 8123 MAIN ST

ROLL CALL

PUBLIC HEARINGS:

1. WAIVER OF REQUIREMENTS FOR DETACHED ACCESSORY BUILDING IN A C-2 DISTRICT - 3141 BAKER ROAD.
2. WAIVER OF PARKING LOT CURB & GUTTER REQUIREMENT, SECTION 5.23 IN AN IP DISTRICT - 2326 BISHOP CIRCLE EAST, DEXTER PLANNING COMMISSION, APPLICANT.

APPROVAL OF MINUTES OF THE APRIL 22, 1991 ZBA MEETING.

NEW BUSINESS

1. VARIANCE REQUEST: 3141 BAKER ROAD - DETACHED ACCESSORY BUILDING IN A C-2 DISTRICT
2. VARIANCE REQUEST: 2326 BISHOP CIRCLE E. - PERIMETER PARKING LOT CURB & GUTTER IN AN IP DISTRICT.

ADJOURNMENT

RECONVENE DEXTER VILLAGE COUNCIL MEETING

ROLL CALL

APPROVAL OF MINUTES OF THE MAY 13, 1991 REGULAR MEETING

PRE-ARRANGED CITIZEN PARTICIPATION*

APPROVAL OF AGENDA

NON-ARRANGED CITIZEN PARTICIPATION**

COMMUNICATIONS

APPROVAL OF BILLS AND PAYROLL COST

REPORTS

SHERIFF

FIRE DEPARTMENT

STANDING COMMITTEES AND COMMISSIONS

1. PLANNING

2. PARKS

AD HOC COMMITTEES

1. PUBLIC WARNING SIREN SYSTEM

2. SENIOR CITIZEN FACILITIES

3. VILLAGE OFFICE FACILITIES

VILLAGE MANAGER

ORDINANCES AND RESOLUTIONS

1. RESOLUTION APPROVING APPLICATION OF THE ROSE CORP. DBA "DOORS & DRAWERS" FOR INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE FOR A NEW FACILITY.

OLD BUSINESS

- ~~1. EXECUTIVE SESSION: DISCUSSION OF PENDING LITIGATION; CONSULTATION WITH ATTORNEY.~~
2. PRELIMINARY SITE PLAN FOR PROPOSED RETAIL SHOPPING PLAZA, EQUITABLE GROUP, APPLICANT (ON TABLE).
3. WEATHER WARNING SIREN REPORT/RECOMMENDATION.
4. PARKS COMMISSION APPOINTMENTS (ON TABLE).
5. BID QUOTATION-PAVING OF ALLEY BETWEEN MAIN & FIFTH.

NEW BUSINESS

1. AWARD CONTRACT FOR CONSTRUCTION OF DEXTER BUSINESS AND RESEARCH PARK PHASE II
2. LEASE AGREEMENT - FIRST OF AMERICA BANK.
3. JONES & HENRY TEST WELL/ANALYSIS PROPOSAL.
4. COMBINED SITE PLAN - MANUFACTURING FACILITY FOR GROWERS SUPPLY, 2326 BISHOP CIRCLE E.
5. FIRE DEPARTMENT FUNDING MEMO.
6. ESTABLISH DATE FOR JOINT COUNCIL/PLANNING SESSION.

PRESIDENT'S REPORT

*PRE-ARRANGED CITIZEN PARTICIPATION WILL BE LIMITED TO THOSE WHO NOTIFY THE VILLAGE MANAGER'S OFFICE BEFORE 5:00 P.M. THE THURSDAY PRECEDING THE MEETING STATING THEIR NAME AND INTENT.

**NON-ARRANGED CITIZEN PARTICIPATION WILL INCLUDE THOSE NOT LISTED ON THE PRINTED AGENDA WHO WISH TO SPEAK. THE VILLAGE PRESIDENT, AT HIS DISCRETION, MAY CALL ON MEMBERS OF THE AUDIENCE TO SPEAK AT ANY TIME.

DEXTER VILLAGE COUNCIL
REGULAR MEETING
8:00 PM
MAY 28, 1991
FIRST OF AMERICA BANK BUILDING
8123 MAIN STREET
DEXTER, MICHIGAN 48130

The meeting was called to order at 8:04 PM by the president.

Roll Call

Present: Gordenier, Baroni, Rush, Gregory, Pearson, Genske, Yates

Absent: None

Public Hearings

1. Request for P.A. 198 Industrial Facilities Exemption Certificate. The Rose Corp. DBA Doors & Drawers, Applicant
The hearing convened at 8:05 PM.
There were no citizens who wished to speak.
The hearing closed at 8:07 PM.

2. Truth in Taxation Hearing on Increasing Property Taxes (P.A. 5, 1982)
The hearing convened at 8:10 PM.
There were no citizens who wished to speak.
The hearing closed at 8:12 PM.

The May 28, 1991 Zoning Board of Appeals meeting convened at this point. Minutes of the ZBA are filed as a separate document.

Approval of minutes moved Baroni support Gregory to approve the minutes of the May 13, 1991, regular meeting as presented. Ayes: Gordenier, Baroni, Rush, Gregory, Pearson, Genske, Yates. Nays: None. 5-28-91 Dr.
Approval of Agenda
Moved Baroni, support Gregory to approve the agenda as amended.

Ayes: Gordenier, Baroni, Rush, Gregory, Pearson, Genske, Yates
Nays: None

Non-Arranged Citizen Participation

There were no citizens who wished to speak.

Communications

Council directed the clerk to send the letter regarding possible land acquisition and the letter of congratulations addressed to M. Kimmell.

Approval of Bills and Payroll

Moved Baroni, support Genske to approve bills and payroll costs in the amount of \$175,081.30.

Ayes: Gordenier, Baroni, Rush, Gregory, Pearson, Genske, Yates
Nays: None

Reports

Sheriff-

Sgt. Steilow presented the April Sheriff's report.

Fire Dept.-

No report

Standing Committees

1. Planning Commission - Council received written report.
(Copy attached)

2. Parks Commission - Council received written report and recommendation. (Copy attached)

Discussion was held regarding the placement of the proposed Veterans' Memorial in Monument Park.

D. Piper, representing the Dexter Lion's Club, presented a letter to Council. (Copy attached)

Moved Rush, support Gordenier to accept the park's commission recommendation to recommend to Council that the granite portion of the Lion's Club veteran's memorial shall be set in temporary fashion, with out the associated stonework or permanent foundation until such time that the master plan for Monument Park is completed and approved.

Ayes: Rush

Nays: Gordenier, Baroni, Gregory, Pearson, Genske, Yates

Ad Hoc Committees

1. Public Warning System-No report

2. Senior Citizen Facilities-President Yates informed Council that there is no Senior Citizen Facilities Committee, but that He and trustee Baroni will serve as Village representatives to the Sr. Citizens Committee in the community.

3. Village Office Facilities-No report

Village Manager-Council received written report

Ordinances and Resolutions

1. Resolution Approving Application of the Rose Corporation DBA "Doors & Drawers" For Industrial Facilities Exemption Certificate For a New Facility.

Moved Baroni, support Gordenier, to adopt the resolution granting an Industrial Facilities Exemption Certificate for a new facility for a period of 5 years, pursuant to P.A. 198 of 1974, pending the applicant's release from Ann Arbor. (Copy attached)

Ayes: Gordenier, Baroni, Rush, Gregory, Pearson, Genske, Yates

Nays: None

Old Business

1. Preliminary Site Plan For Proposed Retail Shopping Plaza, Equitable Group, Applicant. (On table)

Moved Baroni, support Gregory to remove the subject from the table.

Ayes: Gordenier, Baroni, Rush, Gregory, Pearson, Genske, Yates

Nays: None

J. Ginn, representing the Equitable Group, introduced L. Lenchner, President of the company, M. Boggio, its architect, S. Blackburn, its leasing representative, and P. Slaven, traffic consultant from the Reid, Cool, Michalski Company.

Presentations regarding the proposed project were made by these individuals.

The Council took a break in the meeting at this point, 10:10. The meeting resumed at 10:20 PM.

Also addressing Council was S. Hansen, 7880 Fifth Street, member of the planning commission who elaborated on the intent of the planning commission when it rendered its fifteen point recommendation.

P. Cousins, 7648 Forest, planning commission member, chair of the site plan review committee, addressed the Council giving an historical overview of the planning commission dealings regarding the proposed development.

Moved Baroni, support Gregory to accept the staff report of the zoning inspector/planner, Item IV, Points 1 through 4, (Copy attached) and pending compliance with points 3., 7. altered to read "a minimum 12 ft. buffer zone with heavy plantings ...", 8., and 9. of the fifteen point recommendation from the planning commission (Copy attached) and pending alterations to the site plan to include the following changes, a) ~~closing of the drive on the west end of the site and the extension of the green island, creating aisles of 22 parking spaces, b) the extension of a public walkway into the site at the west end of the project, c) the elimination of the six small islands to create parking on the southwest end of the site, and d) the elimination of 19 parking spaces and the creation of an extended planting strip at the east end of the site, to grant preliminary site plan approval for the Equitable Group for its proposed retail shopping plaza on Ann Arbor Road.~~ *elimination of the proposed drive to the front of the lot entrance to*

Ayes: Baroni, Rush, Gregory, Pearson, Genske, Yates

Nays: Gordenier

The Council took a break in the meeting at this point 11:07. The meeting resumed at 11:20 PM.

2. Weather Warning Siren Report/Recommendation
The subject remains on the table.

3. Parks Commission Appointments

Moved Baroni, support Genske to remove the subject from the table.

Ayes: Gordenier, Baroni, Rush, Gregory, Pearson, Genske, Yates
Nays: None

No appointments were made as C. Tomshany has agreed to remain on the commission.

4. Bid Quotation-Paving Of Alley between Main and Fifth
No action was taken.

New Business

1. Award Contract For Construction of Dexter Business and Research Park Phase II

Moved Baroni, support Gregory to accept the Village Manager and Village engineer's recommendation to award the contract for construction of Dexter Business and Research Park Phase II to B & V Construction of Wixom for a figure not to exceed \$1,020,014.76.

Ayes: Gordenier, Baroni, Rush, Gregory, Pearson, Genske, Yates
Nays: None

2. Lease Agreement - First of America

Moved Baroni, support Gregory to enter into the lease agreement between the Village of Dexter and First of America Bank for use of the upper level of the bank building as a public meeting room. (Copy on file)

Ayes: Gordenier, Baroni, Rush, Gregory, Pearson, Genske, Yates
Nays: None

3. Jones and Henry Test Well/Analysis Proposal

Moved Baroni, support Gregory to accept the Village Manager's recommendation to enter into the contract for a second test well at a cost not to exceed \$31,053.

Ayes: Gordenier, Baroni, Rush, Gregory, Pearson, Genske, Yates
Nays: None

4. Combined Site Plan - Manufacturing Facility For Grower's Supply, 2326 Bishop Circle East.

Moved Baroni, support Rush to accept the planning commission recommendation to grant preliminary/final site plan approval for Grower's Supply at 2326 Bishop Circle East pending a waiver for curb and gutter standards.

Ayes: Gordenier, Baroni, Rush, Gregory, Pearson, Genske, Yates
Nays: None

5. Fire Department Funding Memo

Council reviewed the memo from Manger Palenick. The subject will be placed on the next council agenda.

6. Establish Date for Joint Council/Planning Session

Moved Baroni, support Gregory to set a joint meeting of the planning commission/council for June 24, 1991. at 7:00 PM.

Ayes: Gordenier, Baroni, Rush, Gregory, Pearson, Genske, Yates
Nays: None

President's Report


L. Yates thanked C. Genske for sitting in for him in his absence and commented that he felt the Council had done the best it could with what it had from the planning commission and the Village attorney.

Adjournment

Moved Baroni, support Genske to adjourn the meeting at 12:22 AM.

Ayes: Gordenier, Baroni, Rush, Gregory, Pearson, Genske, Yates
Nays: None

Respectfully submitted,


Donna L. Fisher
Village Clerk

Filing Approved 6-10-91

Presentations regarding the proposed project were made by these individuals.

The Council took a break in the meeting at this point, 10:10. The meeting resumed at 10:20 PM.

Also addressing Council was S. Hansen, 7880 Fifth Street, member of the planning commission who elaborated on the intent of the planning commission when it rendered its fifteen point recommendation.

P. Cousins, 7648 Forest, planning commission member, chair of the site plan review committee, addressed the Council giving an historical overview of the planning commission dealings regarding the proposed development.

Moved Baroni, support Gregory to accept the staff report of the zoning inspector/planner, Item IV, Points 1 through 4, (Copy attached) and pending compliance with points 3., 7. altered to read "a minimum 12 ft. buffer zone with heavy plantings ...", 8., and 9. of the fifteen point recommendation from the planning commission (Copy attached) and pending alterations to the site plan to include the following changes, [a) elimination of the proposed drive to the right at the the west entrance to the site and the extension of the green island,] creating aisles of 22 parking spaces, b) the extension of a public walkway into the site at the west end of the project, c) the elimination of the six small islands to create parking on the southwest end of the site, and d) the elimination of 19 parking spaces and the creation of an extended planting strip at the east end of the site, to grant preliminary site plan approval for the Equitable Group for its proposed retail shopping plaza on Ann Arbor Road.

Ayes: Baroni, Rush, Gregory, Pearson, Genske, Yates

Nays: Gordenier

The Council took a break in the meeting at this point 11:07. The meeting resumed at 11:20 PM.

2. Weather Warning Siren Report/Recommendation
The subject remains on the table.

3. Parks Commission Appointments
Moved Baroni, support Genske to remove the subject from the table.

Ayes: Gordenier, Baroni, Rush, Gregory, Pearson, Genske, Yates
Nays: None

No appointments were made as C. Tomshany has agreed to remain on the commission.

4. Bid Quotation-Paving Of Alley between Main and Fifth
No action was taken.

New Business

1. Award Contract For Construction of Dexter Business and Research Park Phase II

*This
Sheet
Attached to
illustrate
6-10-91
D.K.*

VILLAGE MANAGER'S REPORT - May 28, 1991

- The Contracted street painters were in on Friday, May 24th; they should finish the job within a day.
- All of the FY 91/92 street paving/resurfacing is now complete; Village crews will be adding gravel in spots to drives and shoulders to bring low entries up to the new higher surfaces. The portion of Fifth Street to be torn up by the sewer trunk line work will be resurfaced following installation of the sewer. Baker, of course, will also be entirely rebuilt.
- Michigan Paving was in to do the final restoration on the Easterly Dan Hoey project. Most of the work has been completed; a few signs are yet to be installed, and some striping repairs have to be finished.
- The 1000, 21-gallon recycling totes for the Village's upcoming curbside recycling program have been ordered and should be delivered by mid-June. We hope that following a period of education and public announcement, we may still begin the program by mid to late July.
- I should remind Council that the new refuse contract is now in effect and that starting Tuesday May 14th, the residential pickup switched to once-per-week on Tuesday mornings only. The commercial, industrial, and all dumpster pickups schedule remained as previous. I apologize that a reminder notice to residents did not appear in the Local paper prior to the schedule-changeover. It seems that so may projects were beginning or underway, the reminder notice got lost in the shuffle.
- In your packet is the application and evaluation form for the scheduled action on the Doors & Drawers P.A.198 tax abatement request. According to our objective guidelines, their application has scored 110.93 points on the 494 point scale meaning they qualify for a 50% abatement for a period of 5 years. Doors & Drawers is operating out of their new facility at 2467 Bishop Circle east, employing 16 people. Since Doors & Drawers were operating out of leased space in Ann Arbor and moved their operations to the new owned facility in Dexter, they were required to acquire a formal "Release of employment" from the City of Ann Arbor in order to receive the P.A.198 abatement. Before the final application can be forwarded to the State, a certified resolution of "Release" from Ann Arbor must be included.
- The bid opening for Phase II of the Dexter Business and Research Park was held at 11:00 a.m. Wednesday, May 22nd. We received 10 sealed bids ranging from a high base bid of \$1,445,521.35 to a low of \$1,019,014.76. The low bidder was B&V Construction of Wixom with a complete total bid of \$1,020,014.76 (that is a base bid of \$1,019,014.76 plus \$1,000 for the spreading of excess topsoil back

on site). The Engineers estimate for this project was \$1,290,092.00. Obviously a \$270,000 under-bid is a very, very positive occurrence. This follows a nearly \$190,000 discount on the estimated cost of the sewer project. I might add that B&V construction did all the earthwork for the first phase of the Park and were very professional and efficient. I would not hesitate to recommend the award of this contract, and our Engineers concur, to B&V construction. It is looking very positive that because of the combination of low interest costs on the L.D.F.A. bonds and highly favorable construction costs for the projects scheduled, we should be able to fund the Baker Road water-line upgrade within the budget for the \$3.5 million bond series sale.

- Tom Desmet and myself held a meeting with representatives of Jones & Henry Engineers whom we have contracted with for water well engineering work to discuss the results of our test well analysis. The consensus of the meeting was that to fully assess our possible ability to locate a new well site (of at least 2 wells) with treatment facility, on the property proposed, we simply have to test the upper aquifer identified in the first pump test analysis. The idea would be to develop two wells in close proximity, one drilled to the lower-depth aquifer, the second to the upper aquifer with no cross connection or influence between the two. In this manner we might be able to produce the capacity we need while not having to locate the wells over 800 feet apart. We won't know of course, unless we repeat the drilling and testing procedures accomplished for the first, lower aquifer test. You have a proposal from Jones & Henry in your packet detailing costs to accomplish this project. Note the total is \$31,053.00 which was not contemplated by our budget for this year. However, we have budgeted a total of \$98,000 for well engineering, design, and construction. If we approve the additional engineering, we will be able to do less actual design and/or construction this year. This expenditure is a must step, however, and I would strongly recommend the approval of the Jones & Henry proposal.

DEXTER VILLAGE COUNCIL - MAY 28, 1991

ADJUSTMENTS AND ADDITIONS

DETROIT EDISON/ST LIGHTING	101-448-920	-39.34
JACK DOHENY SUPPLIES	101-441-977	+78.80
ANDREA DORNEY/MILEAGE	590-548-861	+16.64
U.S. POSTAL SERVICE/FILL METER	101-172-727	<u>+200.00</u>

CHANGES PAGE 1 BILLS DUE (PAGE 3) \$39,116.04

TOTAL FOR APPROVAL \$175,081.30

DEXTER VILLAGE COUNCIL
SUMMARY OF BILLS AND PAYROLL COSTS

MAY 28, 1991

PAYROLL COSTS (PAGE 2)	\$ 19,260.70
BILLS DUE (PAGE 3)	38,859.94
INDUSTRIAL PARK FUNDS (PAGE 4)	116,671.50
PETTY CASH (PAGE 5)	<u>33.06</u>
TOTAL BILLS AND PAYROLL COSTS ALL FUNDS	<u>\$ 174,825.20</u>
L.D.F.A. FUNDS EXPENDED (PAGE 4)	<u>\$ 32,869.22</u>

PAYEE--EXPLANATION	CODE	101 GENERAL	206 FIRE	202 MAJOR ST.	203 LOCAL ST.	590 SEWER	591 WATER
<u>PAYROLL COSTS - MAY 11, 1991</u>							
Sandra J. Egeler		524.76	58.30				
Janet C. Karvel		148.10-G					
		148.10-R				148.10	148.10
James M. Palenick		474.94		118.73	118.73	118.73	118.73
Larry N. Wagner			759.53				
Mary Ann Lamkin		594.44					
Kurt J. Augustine		321.52		107.17	66.98		
Keith L. Kitchen		227.73		107.17	107.17		
Patrick A. McKillen		300.29		150.15	150.15		
Derek R. Wiseley		201.48		100.74	100.74		
Thomas C. Desmet						782.49	111.78
Andrea M. Dorney						527.76	
Edward A. Lobdell						686.72	37.21
Daniel L. Schlaff						213.55	320.32
Larry C. Sebring						320.62	320.62
Loren P. Yates - President 5/91		400.84					
Donna L. Fisher - Clerk/Pl. Comm. Sec.		366.68					
Rita A. Fischer - Treasurer 5/91		150.84					
<u>PAYROLL COSTS - MAY 18, 1991</u>							
Sandra J. Egeler		510.19	58.31				
Janet C. Karvel		29.62-G					
		148.10-R				148.10	148.10
James M. Palenick		474.94		118.73	118.73	118.73	118.73
Larry N. Wagner			681.88				
Mary Ann Lamkin		297.22					
Kurt J. Augustine		115.33		207.16	115.34		23.06
Keith L. Kitchen		160.55		241.14	133.97		
Patrick A. McKillen		75.07		337.84	337.84		
Derek R. Wiseley		163.70		188.89	125.93		25.18
Thomas C. Desmet						894.28	
Andrea M. Dorney						527.76	
Edward A. Lobdell						686.72	232.00
Daniel L. Schlaff							697.00
Larry C. Sebring						384.74	451.82
Martin Walsh		41.95		111.87	55.93		13.98
Paul Irish		69.91		125.85	69.92		13.98
TOTAL PAYROLL COSTS		5,946.30	1,558.02	1,915.44	1,501.43	5,558.30	2,781.21

VILLAGE OF DEXTER COUNCIL PROCEEDINGS

BILLS DUE

PAGE 3 OF 5

DATE MAY 28, 1991

PAYEE--EXPLANATION	CODE	101 GENERAL	206 FIRE	202 MAJOR ST.	203 LOCAL ST.	590 SEWER	591 WATER
Alvan Motor Freight Inc.	548-937					45.64	
AT&T Credit Corp.	VARIOUS	59.09				41.09	
Business Resources, Inc.	172-727	139.96					
Detroit Edison/St. Lighting	448-920	2,006.42					
Dexter Area Fire Dept./2nd qtr.	336-806	23,032.32					
Dexter Leader	VARIOUS	1,158.14				9.20	
Dexter Leader - 1 yr. subs.	548-815					12.50	
" " - 1 yr. subs.	441-815	12.50					
Etna Supply Co.	556-977						1,593.75
Gross Equip/Feldkamp Tire	441-939	170.00					
Grainger,W.W.	548-937					49.45	
Hansen, John-meter dep.refund	000-255						60.00
Hearts & Flowers	101-956	26.00					
Jack Doheny Supplies, Inc.	441-977	2,697.00					
Jones Chemicals, inc.	548-742					180.00	
Lamkin, Mary Ann/reimb	172-977	102.96					
Long, Clark & Baker	101-803	737.00					
MI Bell - 426-8303	172-853	70.31					
" " - 426-8530	441-853	46.13					
" " - 426-4572	VARIOUS					117.14	58.57
MI Dept. of Public Health	556-824						200.00
O'Grady - 17th payment	265-970.010	600.00					
Petoskey Plastics, Inc.	528-740	157.04					
Premier Fastener Co.	548-740					67.84	
Quality Copy Center	172-727	57.15					
R.P.M. Excavating	441-958	52.50					
Share Corp.	548-937					158.38	
Spears Fire & Safety Serv.	548-935					30.00	
Sweepster	441-977	4,840.00					
TELEdial America	172-853	64.88					
Thesier Equip. Co.	441-937	11.98					
Umstead Manufacturing Co.	448-740	15.00					
Williams Sewer Service, Inc.	548-826					180.00	
TOTAL BILLS DUE		36,056.38				891.24	1,912.32

VILLAGE OF DEXTER COUNCIL PROCEEDINGS

BILLS DUE
DATE MAY 28, 1991

PAYEE-EXPLANATION	CODE	CONSTRUCTION & ENGINEERING FUND
American Title Co. of Washtenaw	251.000.000-970.100	\$ 12.00
Contractor Publishing Co.	VARIOUS	399.50
Kerr Pump and Supply	977.00	740.00
Orchard, Hiltz & McCliment	VARIOUS	115,520.00
TOTAL BILLS DUE		\$ 116,671.50

L.D.F.A. EXPENDITURES

DEXTER VILLAGE/PETTY CASH POSTAGE	\$ 19.90
MILLER, CANFIELD, PADDOCK & STONE	\$31,788.32
MIDWEST BANK NOTE COMPANY	\$ 1,051.00
TOTAL BILLS DUE	\$32,869.22

DEXTER VILLAGE COUNCIL

MAY 28, 1991

PETTY CASH

ADMINISTRATIVE

Extra postage, supplies	101-172-727	\$ 9.49
Mileage	101-172-861	8.42
Roberts Rules of Order	101-215-956	5.15

D.P.W.

Gas (dump truck)	101-441-751	<u>10.00</u>
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TOTAL PETTY CASH EXTENDED A:: FIMDS		<u>\$ 33.06</u>
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**Village of Dexter
STAFF RECOMMENDATION REPORT**

Date: May 28, 1991

Case Number: C17-91-1

I. GENERAL INFORMATION

Applicant: The Equitable Group

Location: Northeast of Dexter-Ann Road, between Kensington
and Dan Hoey Road

Requested Action: Approval of Preliminary Site Plan

Purpose of Request: Allow construction of an 80,000 sq. ft. retail
shopping center.

Size of Site: 13.04 acres

Existing Zoning: C-2

Existing Land Use: Vacant

Adjacent Land Uses and Zoning:

North: Vacant - R-3

South: Vacant - C2

East: Vacant - PB

West: Single -family residential - R-1-A

General Neighborhood/Area Description: Village fringe area
containing large undeveloped parcels of land, single-family
residential and a mixture of commercial uses.

Future Land Use Plan Designation:

Commercial

II. SPECIAL INFORMATION

1. Existing Conditions - This site is gently rolling, draining generally towards the north and northeast. It contains little significant vegetation and no buildings.

The parcel is essentially rectangular, with a 100' x 200' lot containing a single-family house located approx. in the center of the site along Dexter-Ann Arbor Road.

2. Development Proposal - The applicant proposes to construct an 80,000 sq. ft. retail commercial center consisting of two buildings on this 10 acre site. A 175' x 225' outlot for future commercial use is proposed for the southwest corner of the site.

3. Traffic/Access - The Village has a proposed Planned Unit Development Concept site which exists on the adjacent property that surrounds the proposed development. A future road accessing the PUD has been of concern as it relates to its placement with a proposed internal roadway. A question as to the potential hazardous conditions that could occur if the placement of the future road and the internal roadway (that is adjacent to the southern front of the retail buildings) are placed in alignment, represents a question of an enforceable control over speed violators. Without the ability to enforce the speed limits "within" a shopping area, a hazardous situation could be possible.

With regard to the eastern entrance proposed on the site, the location, as proposed, meets required standards for location. While there is concern for easier access to the parking lot by the perspective consumer (from Dexter - Ann Arbor Road), the accel/and decel lanes more than sufficiently address the issue relating to "stacking" on Dexter - Ann Arbor Road. (Engineers previously requested accel/decel lanes be in place and that has been addressed.) The proposed eastern entrance will accommodate greater maneuverability for truck traffic entering and existing the proposed development as proposed by the site plan.

Although the future development of the PUD has preconditions that conclude that an abandonment of the proposed development's west entrance be required, the focus should be on the total volume of traffic that the proposed use could have with respect to the amount of traffic to be generated from the capacity of the proposed/required parking spaces. The east entrance could not adequately handle the shear volume of traffic from this proposed/required amount of parking.

Shifting that traffic to a future road that will be also accommodating traffic from other areas of the proposed development within the PUD, should be re-considerated.

4.

Internal Circulation/Parking - The proposed plan (revisions May 9, 1991) does meet the required amount of parking spaces, however if any of the "Fifteen Points" which deals with changes to the traffic/access or internal circulation/parking are imposed, the

proposed plan could then be considerably short in what is required by the Ordinance for required parking.

Parking stall sizes meet the minimum requirements of this Ordinance. All aisleways/internal roadways satisfy the ordinance requirements with the exception of the internal roadway that is adjacent to the store fronts. The proposed plan provides a 30 foot wide roadway along the store fronts except for a short portion in front of the proposed supermarket, here the roadway narrows to 25 ft. for approximately 80 feet. A continuous 30 foot roadway is desirable in order to eliminate the curve in the roadway adjacent to the parking islands. Two-way traffic would be better served.

To establish an east-west mid-lot cross drive would not be advisable because there would be a decrease in pedestrian safety. (section 9.03 (C)(4) (Fifteen Points #14)

Parking spaces along the proposed phase II retail space are not acceptable as noted by the Fire Department of Dexter

With regard to the elimination of the row of parking along Dexter-Ann Arbor Road, the ordinance has only the requirement that off-street parking shall not be located in the required front yard or within the required yard along any street except in IP districts. C-2 has a front yard of not less than 25 ft. The proposed development exceeded the requirements of the ordinance front yard requirement and placed the row of parking so that it was not in the required front yard.

5. Landscaping - The Site Plan Committee has some concern about the landscaping along Dexter-Ann Arbor Road and how they should address the issue of the massive proposed parking area. An acceptable berm height should not have a slope more than a 3:1 ratio; sloping from the center of the berm to the edge of the proposed sidewalk and from the center of the berm to the edge of the outside front yard edge. Bermed areas adjacent to roadways/highways should be placed so that they occupy the area between the sidewalk and the front yard. Building setbacks should also be part of the determination in the actual height and width berms; never exceeding a 3:1 ratio. Sight visibility is maintained with this ratio. (Fifteen Points #4) (Berm and slope information is provided here only to explain what standards should govern those areas of concern in term of landscaping.)

A deviation from this ordinance as proposed by the "Fifteen Points" with respect to Section 6.02(10) (not more than 20 parking spaces shall be permitted in a continuous row in business and industrial districts without being interrupted by landscaping) is not recommended because it would require some form of variance to the ordinance. This is not a good practice to set policy that promotes deviation from the ordinance.

All other landscaping requests are generally reasonable and have been complied with by the developer with the exception of the request of a 25 foot buffer zone to the rear of the proposed development. A transition strip is required under Section 5.04 because, Section 4.11 (C)(3) General Business District C-2 Regulations and Standards - Transition Strip says, "that all uses in this district, when adjacent to an existing residence or residential district or an alley which is adjacent to an existing residence or residential district shall provide and maintain a transition strip".

The word adjacent means abutting. The proposed development is adjacent to an existing residence or residential district. The ordinance provides for under this section - a 10 foot wide buffer area and shall be landscaped with living plant materials as required by Planning Commission...

6. Grading/Drainage - Under Section 5.23 - Curb and Gutter shall be required for all private roadways and parking lot construction in all districts.... Details for curb and gutter are required for final site plan approval.

Drainage easement from the adjacent property owner to the northeast is not indicated.

7. Outlot - All proposed future expansion and the outlot will be subject to standards that will be approved with respect to this proposed site plan and all consideration regarding the future expansion and the outlot will have to comply with the zoning ordinance independent the approved minimum requirements of this proposed site plan.

III. Analysis

The revised plan (May 9, 1991) is being reviewed based upon the outstanding fact that the single-family residence remains outside the proposed site plan and that all considerations regarding the approval and recommendation of the site plan are with that knowledge and understanding.

Many of the original concerns have been met by the developer with respect to the requirements of this ordinance. However, a major concern still resides with the fact that the "single-family residence problem" has not yet been resolved to the satisfaction of what constitutes good sound planning practice.

426 parking spaces are required in order to meet the ordinance standards. The proposed site plan has provided 432 spaces after the review of this plan.

IV. Recommendation

Grant preliminary site plan approval as the proposed site plan is in compliance with the zoning ordinance, noting the revisions to:

1. Internal Circulation/Parking
2. Landscaping
3. Grading/Drainage
4. Outlot

V. ATTACHMENTS

1. Application
2. Site Plan Review - Fifteen Point List and Memo
3. Village Engineer (OHM) Review (dated 3/14/91)
4. Fire Department Memo
5. Utilities Memo

Site Plan Review: Preliminary
Project: Retail Shopping Plaza
Applicant: The Equitable Group; Southfield, MI

The following is a recommendation of the site plan review committee to the planning commission.

In addition to the Preliminary site plan check sheet attached the committee has established the following items as requirements as part of the recommendation for approval.

A.

1. The house must be eliminated from the proposed plan.
2. Eliminate the row of parking on Dexter-Ann Arbor Road and incorporate that area into additional landscape buffer.
- ✓ 3. A continuous 5' sidewalk shall be provided inside the Michigan Bell easement.
4. A minimum 6' high berm and plantings along the entire frontage should be provided, with plantings of primarily the street variety.
5. The west entrance shall be temporary only.
6. An entrance from the west, replacing the west entrance referred to in #5 above, shall be constructed from the future street north of the outlot and forward of the shopping center and be aligned with the east/west drive along the front of the building.
- ✓ 7. A minimum ~~25'~~ ^{12'} buffer zone ^{with heavy plantings} must be built to the rear of the property with a minimum 6' high berm and heavy plantings.
- ✓ 8. Create planted traffic barrier islands along entrance drives.
- ✓ 9. Provide walk connections from public walk on Dexter-Ann Arbor in to stores.
10. Provide substantial islands at traffic corners in parking lot.
11. Widen the frontage drive along stores.
12. Move the east entrance to be directly in line into the parking lot.
13. Eliminate all small planting islands in the lot.
14. Establish an E-W mid-lot cross drive.
15. The proposed handling of waste water must be coordinated with future developments in the area and only one lift station will be allowed until adequate sanitary sewers can be provided.

B.

1. In this day and age the ubiquitous strip mall as proposed is obsolete and a design of the 90's unique for Dexter and in harmony with the heritage of the Village must be provided.

DEXTER VILLAGE COUNCIL

SPECIAL MEETING

AGENDA

CALL TO ORDER 5:00 P.M. - 8140 MAIN STREET;
VILLAGE OFFICES

ROLL CALL

APPROVAL OF AGENDA

NON-ARRANGED CITIZEN PARTICIPATION

COMMUNICATIONS

NEW BUSINESS:

1. AWARD OF SANITARY TRUNK SEWER CONTRACT -
SECOND LOW BIDDER

ADJOURNMENT

PUBLIC NOTICE

SPECIAL MEETING

DEXTER VILLAGE COUNCIL

THE DEXTER VILLAGE COUNCIL WILL HOLD A SPECIAL MEETING
THURSDAY, MAY 30, 1991 AT 5:00 P.M. IN THE DEXTER VILLAGE
OFFICE; 8140 MAIN STREET, DEXTER, MI. THE SOLE PURPOSE
OF THE MEETING IS TO AWARD A SANITARY SEWER TRUNK LINE
CONSTRUCTION PROJECT TO THE SECOND LOW BIDDER FOLLOWING
WITHDRAWAL OF THE FIRST LOW BIDDER.

DONNA L. FISHER,
VILLAGE CLERK

TABULATION OF BIDS RECEIVED ON WEDNESDAY, APRIL 17, 1991, FOR THE CONSTRUCTION OF THE DEXTER SANITARY TRUNK SEWER - PHASE II, VILLAGE OF DEXTER, O.H.M. JOB NO. 130-91-011

Item	Estimate Quantity
1. Clean & Video Tape Exist. 8" Sanitary Sewer	3,148
2. 8" PVC SDR-35 Sanitary Sewer - Trench A	90
3. 15" RCP C-76 Cl. V San. Sewer in 30" Steel Casing Pipe - Jack & Bore	100
4. 15" RCP C-76, C-V Sanitary Sewer (Trench B)	54
5. Imported MDOT Class II Sand	15,000
6. 15" ABS or PVC Truss Pipe Sanitary Sewer, Trench A Job Excavated Material, C.I.P. 95% (minimum)	3,755
7. 15" ABS or PVC Truss Pipe Sanitary Sewer - Trench B	420
8. 15" ABS or PVC Truss Pipe Sanitary Sewer in 24" Steel Casing Pipe - Jack & Bore	110
9. 6" Schedule 40 PVC Sanitary Sewer Lead	1,765
10. Std. Sanitary Manhole, 4' Dia. 0'-10' Deep	2
11. Std. Sanitary Manhole, 4' Dia. 10'-16' Deep	5
12. Std. Sanitary Manhole, 4' Dia. 16'-20' Deep	2
13. Std. Sanitary Manhole, 4' Dia. over 20' Deep	2
14. Sanitary Drop Manhole, 4' Dia. 0-10' Deep	1
15. San. Drop M.H. 10-16' Deep, 4' Dia.	1
16. San. Drop M.H. 16-20' Deep, 4' Dia.	5
17. San. Drop M.H. over 20' Deep, 4' Dia.	1
18. Reconstruct Exist. Manhole	1
19. Abandon Exist. San. Manhole	6
20. Remove Exist. San. Manhole	1
21. Remove and Replace Concrete Sidewalk	1,540
22. Remove and Replace 6" Concrete Pavement	14
23. Remove and Replace Concrete Curb & Gutter	225
24. Topsoil, Seed and Mulch	2,000
25. MDOT, 1100-T 20AA	737
26. MDOT, 1100-L 20AA	659
27. MDOT 21-A Limestone Base Course	3,659
28. MDOT 22-A Gravel Drives and Shoulders	461
29. Asphalt Pav't. Remove and Reconstruct; Regrade Area Adjacent to Conrail R/W	1 lump
30. Relocate 4" D.I. Water Main Cl. 54 Trench A	140
31. Remove Trees, 8" - 18"	2
32. Remove Trees, 19" - 36"	1
33. Detour Signing	123.4
34. Barricade Type III - Lighted, Furnished & Operated	2
35. Asphalt Pavement Removal	7,100
36. Restoration with 3" Approved Topsoil and MDOT Class A Sod	3,000
37. Inspector Days	\$320.0

TOTAL AMOUNT OF BID (Incl. Items

DEXTER VILLAGE COUNCIL
SPECIAL MEETING
MAY 30, 1991
5:00 PM
VILLAGE OFFICES
8140 MAIN
DEXTER, MI 48130

The meeting was called to order at 5:05 PM by the president.

Roll Call

Present: Rush, Gregory, Pearson, Yates, Genske, Baroni
Absent: Gordenier

New Business

1. Award of Sanitary Trunk Sewer Contract - Second Low Bidder
Moved Rush, support Gregory to formally rescind the contract award to U-Tec Inc. because of an inability to provide an adequate performance bond in the time specified.

Ayes: Rush, Gregory, Pearson, Genske, Baroni, Yates
Nays: None

Moved Baroni, support Gregory to award the sanitary trunk sewer contract to W. Almas and Son, Inc. of Oxford for a total cost not to exceed \$574,266.65.


Ayes: Rush, Gregory, Pearson, Genske, Baroni, Yates
Nays: None

Adjournment

Moved Genske, support Gregory to adjourn the meeting at 5:15 PM.

Ayes: Rush, Gregory, Pearson, Genske, Baroni, Yates
Nays: None

Respectfully submitted,



James M. Palenick
Village Manager

DEXTER VILLAGE COUNCIL

REGULAR MEETING

JUNE 10, 1991

AGENDA

CALL TO ORDER 8:00 P.M. - FIRST OF AMERICA BUILDING, 8123 MAIN ST.

ROLL CALL

PUBLIC HEARING

APPROVAL OF MINUTES OF THE MAY 28 ,1991 REGULAR MEETING

PRE-ARRANGED CITIZEN PARTICIPATION*

1. PETE ENDERLE REPRESENTING DEXTER KIWANIS: USE OF GAZEBO IN CAR RAFFLE PROMOTION.
2. NEIL EHNIS: VICIOUS ANIMAL CONCERN.
3. DR. S. SUTTON: DOWNTOWN CLEANUP CONCERNS.

APPROVAL OF AGENDA

NON-ARRANGED CITIZEN PARTICIPATION**

COMMUNICATIONS

APPROVAL OF BILLS AND PAYROLL COSTS

REPORTS

- SHERIFF
- FIRE DEPARTMENT
- STANDING COMMITTEES AND COMMISSIONS
 1. PLANNING
 2. PARKS
- AD HOC COMMITTEES
 1. PUBLIC WARNING SYSTEM
 2. VILLAGE OFFICE FACILITIES
- VILLAGE MANAGER

ORDINANCES AND RESOLUTIONS

1. RESOLUTION TO ESTABLISH 1991 MILLAGE LEVY FOR AD VALOREM PROPERTY TAX.

OLD BUSINESS

1. WEATHER WARNING SIREN REPORT/RECOMMENDATION.
2. FIRE DEPARTMENT FUNDING MEMO.

NEW BUSINESS

1. AWARD CONTRACT FOR RECONSTRUCTION OF BAKER ROAD.
2. PLANNING COMMISSION APPOINTMENTS.
3. Discussion of 1 day a week refuse collection
4. Street Signs
5. Discussion of Pit Balls

PRESIDENT'S REPORT

ADJOURNMENT

*PRE-ARRANGED CITIZEN PARTICIPATION WILL BE LIMITED TO THOSE WHO NOTIFY THE VILLAGE MANAGER'S OFFICE BEFORE 5:00 P.M. THE THURSDAY PRECEDING THE MEETING STATING THEIR NAME AND INTENT.

**NON-ARRANGED CITIZEN PARTICIPATION WILL INCLUDE THOSE NOT LISTED ON THE PRINTED AGENDA WHO WISH TO SPEAK. THE VILLAGE PRESIDENT, AT HIS DISCRETION, MAY CALL ON MEMBERS OF THE AUDIENCE TO SPEAK AT ANY TIME.

DEXTER VILLAGE COUNCIL
REGULAR MEETING
JUNE 10, 1991
8:00 P.M.
FIRST OF AMERICA BANK BUILDING
8123 MAIN STREET
DEXTER, MICHIGAN 48130

The meeting was called to order by the president at 8:00 P.M.

Roll Call

Present: Gordenier, Baroni, Rush, Gregory, Pearson, Genske, Yates

Absent: None

Approval of Minutes

Moved Baroni, support Gregory to accept the minutes of the May 28, 1991, regular meeting as ammended to read: Item 1 under Old Business now reads . . . a)elømination of the proposed drive to the right at the west entrance to the site and the extension of the green island. . . :

Ayes: Gordenier, Baroni, Rush, Gregory, Pearson, Genske, Yates

Nays: None

Pre-arranged Citizen Participation

1. P. Enderle, representing Dexter Kiwanis: Use of Gazebo in Car Raffle Promotion

Moved Rush, support Genske to approve the Kiwanis request for use of the gazebo in Monument Park from 10:30-11:30 A.M. on July 4th and from 11:00-11:30 A.M. with entertainment from the community band and/or community players for the club's car raffle promotion.

Ayes: Gordenier, Baroni, Rush, Gregory, Pearson, Genske, Yates

Nays: None

2. N. Ehnis: Vicious Animal Concern

N. Ehnis, 7645 Third Street, addressed Council stating he wished to advise the members of a problem in his neighborhood, a problem with a dog that is not restricted to the property of its owner. He expressed his concern for the safety of his family and his own pet and informed Council he had been in contact with the Sheriff's department seeking their assistance in the resolution of this matter.

3. Dr. S. Sutton: Downtown Cleanup Concerns

Dr. Sutton, 8071 Main, addressed Council expressing her concern for the need to clean sidewalks in the downtown area and proposing a 3 point solution to the problem.

Approval of Agenda

Moved Baroni, support Gregory to approve the agenda as amended. (Copy attached)

Ayes: Gordenier, Baroni, Rush, Gregory, Pearson, Genske, Yates

Nays: None

Communications

Council received copies of a memo drafted by the clerk at the president's request, a memo written to communicate goals set at the April Special Retreat to the Village Manager. (Copy attached)

Bills and Payroll

Moved Genske, support Gregory to approve bills and payroll costs in the amount of \$79,475.08.

Ayes: Gordenier, Baroni, Rush, Gregory, Pearson, Genske, Yates
Nays: None

Reports

Sheriff - No report

Fire Dept. - No report. (Next meeting scheduled for the last Thursday in June)

Standing Committees and Commissions

Parks Commission - J. Luton, Parks Commission chair addressed Council informing them of the clean-up/work session held by Boy Scout Troop #477, and informing them of items of business coming up on future agendas of the Commission.

Council directed Clerk Fisher to acknowledge Troop #477.

Ad Hoc Committees

1. Public Warning System - No report
2. Village Office Facilities - No report

Village Manager - Council received written report. (Copy attached)

Ordinances and Resolutions

1. Resolution to Establish 1991 Millage Levy for Ad Valorem Property Tax

Moved Baroni, support Genske to establish the 1991 millage levy for ad valorem property tax at 8.98 General Operating fund, 1.40 Major Streets fund, 2.62 Local Streets fund and 1.45 Sewer Debt Service fund for a total millage levy of 14.45.

Ayes: Gordenier, Baroni, Rush, Gregory, Pearson, Genske, Yates
Nays: None

Old Business

1. Weather Warning Siren Report/Recommendation

Trustee Rush was named chairman of the committee with Baroni and Yates committee members.

2. Fire Department Funding Memo

Council requested the Village Manager request input from past Village Fire Board representatives and Township representatives.

Moved Baroni, support Genske to table the subject.

Ayes: Gordenier, Baroni, Rush, Gregory, Pearson, Genske, Yates
Nays: None

New Business

1. Award Contract for Reconstruction of Baker Road

Moved Rush support Pearson to accept the Village Manger's recommendation to award the contract to American Contracting and Mangement Corporation of Novi for a bid of \$1,047,107.43 subject to the DNR permit for storm sewer outlet.

Ayes: Gordenier, Baroni, Rush, Gregory, Pearson, Genske, Yates
Nays: None

2. Planning Commission Appointments

Moved Baroni, support Gregory to appoint P. Arbour, N. Bell, and R. Fisher to the planning commission with terms to expire June 1994.

Ayes: Gordenier, Baroni, Rush, Gregory, Pearson, Genske, Yates
Nays: None

3. Discussion of One Day Per Week Refuse Collection

The Manager will investigate a dumpster problem with name and address to be supplied by Trustee Rush.

4. Street Signs

Council discussed vandalism to Village street signs. The sheriff's dept. is working on this problem.

5. Discussion of Pit Bulls

The Village Manger will look into this issue.

President's Report

The President acknowledged the clean-up done at the Smith Woods site by Boy Scout Troop #477, announced he had attended a Sheriff's Dept. Open House.

Moved Rush, support Genske that the President draft and send a letter to the sheriff's dept. and Sgt. stating the desire of the Village to have a deputy on duty at all the times we have contracted for and that we request that deputy not be called out of the Village except in a life threatening emergency.

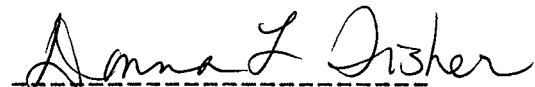
Ayes: Gordenier, Baroni, Rush, Gregory, Pearson, Genske, Yates
Nays: None

Adjournment

Moved Genske, support Baroni to adjourn the meeting at 9:50 P.M.

Ayes: Gordenier, Baroni, Rush, Gregory, Pearson, Genske, Yates
Nays: None

Respectfully submitted,



Donna L. Fisher
Village Clerk

6-25-91

Filing Approved

VILLAGE MANAGER'S REPORT - June 10, 1991

- The bids for the reconstruction of Baker Road, from Main to Dan Hoey, were opened at 2:00 p.m., June 4th. Seven bids were received. The low bidder proved to be American Construction and management of Novi at a total bid of \$1,047,107.43. Our Engineers estimate for the job had been \$1,301,486.25. The low bid received was, therefore, \$254,378.82 below estimate -- once again a very, very positive outcome. This job will include complete state-of-the-art traffic and pedestrian signalization at the Baker/Main intersection; curb and gutter the length of the job; an upgrade to the water transmission main from Main to Grand (4" to 8"); installation of large capacity underground storm sewer to handle recurring flooding; and the widening to 5 lanes, Main to Grand; and three lanes, Grand to Dan Hoey. The job should begin July 8th and be completed by late Fall.

- The second series L.T.G.O. Bond issue authorized for sale by the L.D.F.A. was sold on Thursday, June 6th at 2:30 p.m. Three bids were received: A.G. Edwards & Sons, Inc.; Michigan National Bank; and Kemper Securities. A.G. Edwards & Sons, Inc. proved to be the winning bid with a \$975,000.00 issue for 15 years; a discount of \$19,500.00; net total interest cost of \$657,156.25 with a net effective interest rate of 6.8055%. Proceeds from this sale net discount and plus accrued interest from issue date will be received within two weeks. The Third series \$975,000 L.D.F.A. issue is tentatively scheduled for sale July 1st.

- Apparently, at this time, the Mayor of the City of Ann Arbor and/or its City Council, has denied the "release of employment" for Doors & Drawers pursuant to the P.A. 198 tax abatement the Village of Dexter has approved and awarded to this firm. The tax abatement can not be approved by the State until such release is granted. In other words, for no apparent or stated reason given anyone, the City of Ann Arbor is blocking the Village of Dexter from exercising what should be its sovereign right to either award or deny a tax abatement to a company already located in Dexter. I am truly puzzled by the action and am looking into the matter. We had done a release for Door Controls International through Pittsfield Township with no difficulty or opposition. I have almost never heard of one Community denying a release in a case like this where the applicant was only leasing space and employed only 16 people.

- Following approval of the lease agreement with First of America for the upper level meeting space; we have begun efforts to accomplish the lease-hold improvements specified. Painting has already begun and bids for ceiling, electrical, and carpet installation are being solicited.

- A personal injury claim for a hand injury sustained in a May 19th traffic incident by a Pinckney man, has been submitted to the Village by the Man's Attorney. Said report has been forwarded on to the Village's insurance provider in the form of an incident report. I will advise Council as further information develops.

- DPW crews have begun sidewalk reconstruction -- the first section replaced along Dover Street was completed this week. The work will continue throughout the Summer.

- The Village renewal date for its general liability and property insurance comes up again in early July. You will be receiving information on possible renewal or alternatives along with a recommendation at the next scheduled Council meeting.

- W. Almus & Sons of Oxford should begin work on the sanitary sewer project on either Monday or Tuesday June 10th or 11th. Their performance bond is in place and acceptable, the permit from Conrail has been received, and the work at the Fifth Street end should commence promptly.

DEXTER VILLAGE COUNCIL
SUMMARY OF BILLS AND PAYROLL COSTS

JUNE 10, 1991

PAYROLL COSTS (PAGE 2)	\$ 16,440.29
BILLS DUE (PAGE 3)	<u>64,097.07</u>
TOTAL BILLS AND PAYROLL COSTS ALL FUNDS	<u><u>\$ 80,537.36</u></u>
L.D.F.A. FUNDS EXPENDED (PAGE 5)	<u><u>\$ 1,328.00</u></u>

PAYEE—EXPLANATION	CODE	101 GENERAL	206 FIRE	202 MAJOR ST.	203 LOCAL ST.	590 SEWER	591 WATER
<u>PAYROLL COSTS - MAY 25, 1991</u>							
Sandra J. Egeler		466.46	58.30				
Janet C. Karvel		148.10-G					
		148-10-R				148.10	148.10
James M. Palenick		474.94		118.73	118.73	118.73	118.73
Larry N. Wagner			664.77				
Mary Ann Lamkin		297.22					
Kurt J. Augustine		138.40		165.31	46.13		145.12
Keith L. Kitchen		107.17		133.97	133.97		53.58
Patrick A. McKillen		150.15		225.22	375.38		
Derek R. Wiseley		251.86		125.93	125.93		
Thomas C. Desmet						625.99	89.42
Andrea Dorney						527.76	
Edward A. Lobdell						686.72	37.21
Daniel L. Schlaff							473.70
Larry C. Sebring						256.49	384.74
Martin Walsh		111.87		69.92	13.98		83.90
Paul Irish		111.87		69.92	13.98		83.90
<u>PAYROLL COSTS - JUNE 1, 1991</u>							
Sandra J. Egeler		408.15	58.30				
Janet C. Karvel		29.62-G					
		148.10-R				148.10	148.10
James M. Palenick		284.96		118.73	118.73	118.73	118.73
Larry N. Wagner			574.94				
Mary Ann Lamkin		297.22					
Kurt Augustine					369.08		
Paul Irish		97.89			167.80		
Keith Kitchen					428.70		
Patrick A. McKillen		150.15		243.99	187.69		18.77
Martin Walsh		97.89			167.80		
Derek R. Wiseley					402.97		
Thomas C. Desmet						715.42	
Andrea Dorney						422.20	
Edward Lobdell						480.70	
Daniel L. Schlaff						213.55	213.55
Larry Sebring						384.74	256.49
TOTAL PAYROLL COSTS		3,920.12	1,356.31	1,271.72	2,670.87	4,847.23	2,374.04

PAYEE—EXPLANATION	CODE	101 GENERAL	206 FIRE	202 MAJOR ST.	203 LOCAL ST.	590 SEWER	591 WATER
Barrett Paving Materials	474-974				96.86		
Callender & Dornbos, Inc.	VARIOUS			389.84	109.02		
Captain Clean	548-826					365.00	
Carpenter Hardware/Lumber	VARIOUS				7.80		3.74
Case Power & Equip	441-939	170.80					
Certified Laboratories		127.31					
Circulation Dept.	556-815						60.00
Concrete Cutting, Inc.	VARIOUS			270.30			201.40
Contractors Tool	VARIOUS					145.00	110.00
Detroit Edison							
3620 & 3676 Central	556-920						1,481.36
8360 Huron/CW lift Sta	548-920					3,426.18	
7982,8014,8140,8050 Main	VARIOUS	289.68					
Dexter Comm. School/cross grd	301-804	1,134.72					
Dexter Dist. Library	965-950.010	2,300.00					
Dexter Office Supply	172-727	13.28					
Dexter, Village of	VARIOUS	19.14				28.94	
Enviroland, Inc.	548-825					13,733.40	
Etna Supply Co.	556-977						1,052.24
Fisher Scientific	548-743					123.54	
G & M Enterprises	VARIOUS			320.00	580.00		
Grainger	548-937					30.60	
Graphic Controls	556-740						42.68
Kerr Pump & Supply	548-937					766.92	
Len's Rubbish Serv/recycle	528-816	750.00					
Len's Rubbish Serv/contract 5	528-816	10,557.19					
Lester Bros/porta-johns	751-941	150.00					
Long Clark & Baker	101-803	2,090.00					
MI Municipal League/dues	101-815	1,050.00					
Orchard Hiltz & McCliment	400-825.002	95.00					
Parts Peddler Auto Supply	VARIOUS	144.98				311.29	5.48
RAM Comm. of MI	441-853	37.00					
Roto-Rooter	548-826					240.00	
S.F. Strong, Inc.	751-740	94.42					
Share Corp.	441-740	50.64					
Spears Fire & Safety	441-740	30.00					

VILLAGE OF DEXTER COUNCIL PROCEEDINGS

DATE JUNE 10, 1991

<u>PAYEE—EXPLANATION</u>	<u>CODE</u>	<u>101 GENERAL</u>	<u>206 FIRE</u>	<u>202 MAJOR ST.</u>	<u>203 LOCAL ST.</u>	<u>590 SEWER</u>	<u>591 WATER</u>
Thompson-McCully	VARIOUS			21.00	116.40		344.40
Umstead Manufacturing Co.	556-937						30.00
Williams Sewer Service	548-826					160.00	
Zimmerman Paint Contractors	VARIOUS	410.00		3,560.05	410.00		115.34
Hackney Ace Hardware	VARIOUS	214.92				84.21	
Case Power & Equipment	548-977					15,625.00	
TOTAL BILLS DUE		19,729.08		4,561.19	1,320.08	35,040.08	3,446.64

VILLAGE OF DEXTER COUNCIL PROCEEDINGS

DATE: JUNE 10, 1991

L..D.F.A. FUNDS

DETROIT LEGAL NEWS	395.000.000-901.000	\$ 855.00
Long, Clark & Baker	395.000.000-803.00	<u>473.00</u>

<u>TOTAL L.D.F.A. FUNDS DUE</u>		<u>\$ 1,328.00</u>
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DEXTER VILLAGE COUNCIL/DEXTER PLANNING COMMISSION

JOINT SPECIAL SESSION

JUNE 24, 1991

AGENDA

CALL TO ORDER 7:00 P.M. - FIRST OF AMERICA BUILDING, 8123 MAIN ST.

ROLL CALL

NEW BUSINESS

1. DISCUSSION ITEMS:

- A. FUNCTIONS, ROLES, AND RELATIONSHIPS: PLANNING COMMISSION VS. VILLAGE COUNCIL
- B. SPECIFIC AREAS OF CONCERN; SHORT-TERM PLANNING.
- C. ZONING ORDINANCE, MASTER PLAN; LONG-TERM PLANNING OBJECTIVES.

ADJOURNMENT

DEXTER VILLAGE COUNCIL

REGULAR MEETING

JUNE 24, 1991

AGENDA

CALL TO ORDER 8:00 P.M. - FIRST OF AMERICA BUILDING, 8123 MAIN ST.

ROLL CALL

PUBLIC HEARING

APPROVAL OF MINUTES OF THE JUNE 10 ,1991 REGULAR MEETING

PRE-ARRANGED CITIZEN PARTICIPATION*

- 1. PETE ENDERLE; KIWANIS CLUB PRESIDENT

APPROVAL OF AGENDA

NON-ARRANGED CITIZEN PARTICIPATION**

COMMUNICATIONS

APPROVAL OF BILLS AND PAYROLL COSTS

REPORTS

SHERIFF

FIRE DEPARTMENT
STANDING COMMITTEES AND COMMISSIONS
1. PLANNING
2. PARKS
AD HOC COMMITTEES
VILLAGE MANAGER

ORDINANCES AND RESOLUTIONS

1. STORAGE AND REPAIR OF MOTOR VEHICLES ORDINANCE - FIRST READING.

OLD BUSINESS

1. FIRE DEPARTMENT FUNDING MEMO (ON TABLE).

NEW BUSINESS

1. CONTRACT AWARD FOR GENERAL LIABILITY AND PROPERTY INSURANCE COVERAGE -- JULY 1, 1991 - JUNE 30, 1992.
2. CONTRACT AWARDS FOR LEASEHOLD IMPROVEMENTS - FIRST OF AMERICA BANK, UPPER LEVEL.
3. RECEIPT AND REVIEW - DEXTER VILLAGE AUDIT FOR THE YEAR ENDED FEBRUARY 28, 1991.
4. CONTRIBUTION TOWARD PURCHASE OF BICYCLE FOR SHERIFF DEPARTMENT.

4. ~~Discussion~~ Discussion of Broad St.

PRESIDENT'S REPORT

5. ~~Made~~ Made

ADJOURNMENT

2. ~~Carpenter~~ Carpenter Lumber purchase

*PRE-ARRANGED CITIZEN PARTICIPATION WILL BE LIMITED TO THOSE WHO NOTIFY THE VILLAGE MANAGER'S OFFICE BEFORE 5:00 P.M. THE THURSDAY PRECEDING THE MEETING STATING THEIR NAME AND INTENT.

7. ~~Electrical~~ Electrical installation in Parks
**NON-ARRANGED CITIZEN PARTICIPATION WILL INCLUDE THOSE NOT LISTED ON THE PRINTED AGENDA WHO WISH TO SPEAK. THE VILLAGE PRESIDENT, AT HIS DISCRETION, MAY CALL ON MEMBERS OF THE AUDIENCE TO SPEAK AT ANY TIME.

8. Kiwanis Raffle

9. Doors & Drawers

DEXTER VILLAGE COUNCIL/DEXTER PLANNING COMMISSION
JOINT SPECIAL SESSION

JUNE 24, 1991

7:00 P.M.

FIRST OF AMERICA BANK BUILDING
8123 MAIN STREET
DEXTER, MI 48130

The meeting was called to order at 7:00 PM by President Pro Tem Genske.

ROLL CALL

Council

Present: Gordenier, Baroni, Rush, Gregory, Pearson, Genske

Absent: Yates (Yates entered the meeting at 7:09 PM)

Planning Commission

Present: Arbour, Bishop, Cousins, Betz, Hansen, Waggoner, Hosmer

Absent: Model, Bell

NEW BUSINESS

1. Discussion Items

A. Functions, Roles, and Relationships: Planning Commission Vs. Village Council

Discussion was held centering on the above topic.

It was agreed upon by both bodies that joint meetings should be held on a more frequent basis, perhaps quarterly, and that their should be a liaison from council to attend planning commission meetings to facilitate communication.

President Yates entered the meeting at this point and took charge of the meeting.

Discussion was held regarding the rewriting of various Village ordinances, prioritizing said rewrite.

Discussion was held regarding the membership of the ZBA and the history/wisdom behind such make-up.

Discussion was centered on who/when ordinances should/could be revised.

B. Specific Areas of Concern; Short Term Planning.

Discussion was held regarding the flow of information between Parks Commission to Planning Commission to Council etc.

Discussion was held regarding the establishment of an endowment fund to receive contributions to the Village for parks/recreation improvements.

President Yates informed the group that the DDA project would probably be brought back to the electorate in the Fall.

C. Zoning Ordinance, Master Plan; Long-Term Planning Objectives.

At the suggestion of trustee Genske, a joint meeting/work session was set for July 1, 1991, at 7 PM.

The group took a break at this point (8:03) and resumed at 8:08 PM.

The council meeting came to order at 8:08 PM.

ROLL CALL

Present: Gordenier, Baroni, Rush, Gregory, Pearson, Genske
Yates

Absent: None

APPROVAL OF MINUTES

Moved Genske, support Gregory to approve the minutes of the June 10, 1991, regular meeting as presented.

Ayes: Gordenier, Baroni, Rush, Gregory, Pearson, Genske, Yates

Nays: None

PRE-ARRANGED CITIZEN PARTICIPATION

1. P. Enderle, Kiwanis Club President

Mr. Enderle was not present.

APPROVAL OF AGENDA

Moved Baroni, support Rush to approve the agenda as amended.
(Copy attached)

Ayes: Gordenier, Baroni, Rush, Gregory, Pearson, Genske, Yates

Nays: None

COMMUNICATIONS

President Yates informed Council of complaints lodged regarding the parking of the Kiwanis display on Main Street in a loading zone and visibility at said location.

Moved Baroni, support Gregory to suspend Council rules to allow the amendment of the evening's agenda.

Ayes: Gordenier, Baroni, Rush, Gregory, Pearson, Genske, Yates

Nays: None

Moved Baroni, support Gregory to amend the agenda to include -
NEW BUSINESS, Item 8. Kiwanis Car Raffle and Item 9. Doors and Drawers Tax Abatement Release.

Ayes: Gordenier, Baroni, Rush, Gregory, Pearson, Genske, Yates

Nays: None

COMMUNICATIONS

Clerk Fisher reported that certified copy of minutes of the 5-28-91 regular meeting had been forwarded to the Equitable Corporation legal counsel at their request.

Copies of the letter written to the Boy Scout Troop #477 thanking them for the clean-up at the Smith Woods site was include in the packet.

Council received a letter from HVA regarding the public warning system.

Clerk Fisher requested direction regarding the memo drafted to communicate to the Village Manager goals set at the April Goal setting retreat.

Moved Rush, support Pearson to forward to the Village Manager the June 7, 1991, memo regarding goals set at the April special meeting. (Copy attached)

Ayes: Gordenier, Baroni, Rush, Gregory, Pearson, Genske, Yates
Nays: None

APPROVAL OF BILLS AND PAYROLL

Moved Genske, support Gregory to approve bills and payroll costs in the amount of \$142,442.03.

Ayes: Gordenier, Baroni, Rush, Gregory, Pearson, Genske, Yates
Nays: None

REPORTS

Sheriff's Report - Sgt. Steilow presented the May report. He also informed Council of the Ann Arbor Bicycle Touring Society donation of a bike to be used by Deputy Davis. Also mentioned was the installation of a new phone at the office.

Fire Dept Report - Representative Baroni stated the Village budget question had not been discussed and that the Village Manager will attend the next Fire Board meeting to discuss said issue. A policy regarding the fire department handling of downed electrical lines has been implemented.

Standing Committees and Commissions

1. Planning Commission - No report
2. Parks Commission - No report

Ad Hoc Committees

1. Public Warning System - Chr. Rush reported that a letter of interest in securing a grant for upgrade of a public warning system had been sent by the Village. Also reported were dollar figures for installation of a remote transmitter with a battery back-up system.

2. Office Facilities - No report

Village Manager - Council received written report. (Copy attached) Also provided was information regarding the chip sealing default on Broad Street.

ORDINANCES AND RESOLUTIONS

1. Storage and Repair of Motor Vehicles Ordinance - First Reading

Discussion only. The subject will appear on the next agenda.

OLD BUSINESS

1. Fire Department Funding Memo (Subject on table)
The subject remains on the table.

NEW BUSINESS

Item 9. Doors and Drawers Tax Abatement Release was taken up at this time.

Discussion only. The village remains supportive of Mr. Manitz.

1. Contract Award for General Liability and Property Insurance Coverage -- July 1, 1991 - June 30, 1992

Moved Baroni, support Genske to accept the Village Manager's recommendation to enter into the proposed agreement with the Michigan Municipal Risk Management Authority for a cost of \$25,469.

Ayes: Gordenier, Baroni, Rush, Gregory, Pearson, Genske, Yates

Nays: None

2. Contract Awards For Leasehold Improvements - First of America Bank, Upper Level

Moved Rush, support Baroni to repaint the upper level bank walls light beige.

Ayes: Baroni, Rush

Nays: Gordenier, Gregory, Pearson, Genske, Yates

D. Fisher, Chr., N. Pearson and M. Gregory were appointed to a committee to make recommendation regarding carpet selection to the Village Manager by Friday, June 26th.

3. Receipt and Review - Dexter Village Audit for the Year Ended February 28, 1991.

Council received the report.

4. Discussion of Broad Street

Moved Baroni, support Pearson to close Broad Street from Main to the railroad tracks to through traffic until the tar hazard situation is corrected.

Ayes: Baroni, Pearson

Nays: Gordenier, Rush, Gregory, Genske, Yates

Moved Genske, support Gordenier to close Broad Street to through traffic from Main Street to the railroad tracks when it is deemed by the Village Manager that the road surface is unsafe for driving providing business are notified of the pending closing.

Ayes: Gordenier, Rush, Gregory, Pearson, Genske, Yates

Nays: Baroni

5. Master Plan/Zoning Ordinance - Planning Commission Review

Moved Baroni, support Genske that necessary steps be taken to update the Master Plan, Zoning Map, and Zoning Ordinance; to direct the zoning administrator to get involved in the process; to direct the planning commission to provide a prioritized list of the ordinances they wish to see written/examined to begin the process of amending/rewriting the Village of Dexter Zoning Ordinance.

Ayes: Gordenier, Baroni, Rush, Gregory, Pearson, Genske, Yates

Nays: None

6. Carpenter Lumber Purchase

Manager Palenick updated Council on status of purchase agreement. Council directed him to draft and send a letter stating Council's deadline of September 24th as closure on this project.

7. Electrical Installation in Parks

Trustee Rush made inquiry regarding electrical installation at the Lion's Club memorial construction site in Monument Park.

Moved Genske, support Pearson to request the Lion's Club provide the master plan for the proposed Veteran's memorial, including plans for lighting and wiring detail.

Ayes: Gordenier, Baroni, Rush, Gregory, Pearson, Genske, Yates

Nays: None

8. Kiwanis Car Raffle

Moved Rush, support Baroni to take steps necessary to make the parking spot directly east of the loading zone in front of Shirley's Family Fashion available to the Kiwanis Club for their raffle display until August 10, 1991.

Ayes: Gordenier, Baroni, Rush, Gregory, Pearson, Genske, Yates

Nays: None

PRESIDENT'S REPORT

The Village received a certificate of appreciation from the Red Cross for its support of soldier's stationed in the Persian Gulf during the recent crisis.

ADJOURNMENT

Moved Genske, support gregory to adjourn the meeting at 10:12 PM.

Ayes: Gordenier, Baroni, Rush, Gregory, Pearson, Genske, Yates

Nays: None

Respectfully submitted,

Anna L. Jisha

Village Clerk

Filing Approved 7-8-91

VILLAGE MANAGER'S REPORT - June 24, 1991

- We have received the complete shipment of 1000, 21-gallon, dark-green plastic recycling totes for distribution to implement the upcoming curbside recycling program. They are available at cost (\$7.00 each) at the Village offices. The curbside program will begin Wednesday August 7th, and continue thereafter each First and Third Wednesday of the month. I have put together an informational brochure announcing and describing the program and have had 1000 of them printed up. You should have an example included with your packet. We will be sending them out with utility bills and making them available around town, as well as having refuse haulers distribute some of them when they encounter residents.

- The new Case tractor and sweeper were finally delivered this week. The 30-gallon water reservoir has been mounted and installed on the sweeper and it is complete. Village crews had to get a rear counter-weight fabricated for the tractor to counter-balance the weight of the sweeper, water, and debris on the front. That has been accomplished and the unit is now fully functional and ready to go.

- DPW crews have installed two separate sections of sidewalk to date, equalling approximately 550 linear feet -- This program is well on schedule.

- There was a good deal of downed limbs and branches from the recent storm necessitating added crew work to clean and chip the brush. This unexpected work has slightly delayed the scheduled application of chloride to allays. However, expect the chloride to be applied early this coming week.

- Expect both Growers Supply, on Lot 20, and Siko Products, on Lot 38, to begin construction of their approved manufacturing facilities in the Dexter Business and Research Park within the next week.

- The sanitary sewer line construction project is now underway. The contractor will begin boring under the Conrail tracks on Monday, June 24th. A pre-construction meeting has been held for the second phase of the Industrial Park and that job will begin prior to the end of the month -- It will start with tree and brush clearing and removal and then move to large-scale soil stripping, land balancing and earth excavation. A preconstruction meeting for the Baker Road reconstruction project has been scheduled for June 27th; the work should begin July 8th.

- A pay-phone, located on a pedestal adjacent to the front of the Sheriff Substation, has been ordered through Michigan Bell and should be in place by mid July. There will be no cost to the Village and could in fact produce a small amount of revenue in return. The phone should provide a downtown service and

convenience and offer easy access to the 911 emergency line.

- We are continuing to try to put in place the necessary requirements to effectively close on the purchase of the Carpenter Lumber property. However, certain outstanding third-party interests and liens continue to thwart our efforts to get a clear-title placed in escrow, whose release would then be subject only to our payment of the land-contract terms established. Should the current owner not be able to effectively clear up these matters soon, we may have to reassess the purchase of this property.

- The upper-aquifer observation and test wells have been staked and drilling will begin in early July. Brown Well Drilling will once again be doing the drilling and pump tests.

- Because of further downward-adjusted estimates for FY 91/92 State shared revenues, the Village will receive approximately \$1,710.00 less in total state shared revenues. Also, an adjustment by the township assessor will cause a \$180,000 decrease in this year's SEV which translates to another \$1,617.00 less in General Fund revenues and another \$1,785.00 less in other non-general fund (including streets) revenues. These losses, of \$5,112.00, virtually offset the savings indicated in this years comprehensive insurance premium costs.

- Summer property tax bills are now complete and will be sent out in early July. Payments must be made by September 15th. Cash flow has become a real problem and the property tax revenues which will begin to flow into Village coffers will provide a needed infusion of cash.

- The problem of asphalt emulsion "bleeding through" on Broad Street on hot days continues to occur. We had required the Contractor to come back and put another application of slag-sand on the street to try and remedy the problem some two weeks ago. Initially, some relief was encountered. However, the problem is now back and continues unabated. We will have to have another solution to this matter; I am currently assessing possible answers and will apprise Council of possible recommendations promptly.

- In the FY 91/92 Sewer budget we had included costs for the evaluation and assessment of the rebuilding and replacement of filter media for the sand filters at the Waste Water Treatment plant. That evaluation is now complete and, in fact, did not cost anything. However, the costs for doing the work contemplated is significant and will be evaluated further prior to Council receiving a recommendation as to what level of the work should be pursued and how quickly.

DEXTER VILLAGE COUNCIL - JUNE 24, 1991

ADJUSTMENTS AND ADDITIONS

ADDITIONAL

MARATHON PETRO CO.	VARIOUS	\$ 748.68
U.S. POSTAL SERVICE	101-172-727	200.00

ADJUSTMENTS

BERTHIAUME, KENNETH	VARIOUS	- \$ 5.00
DEXTER LEADER	VARIOUS	- 11.00
TELEDIAL	101-172-853	- 18.00

ADDITIONS - CONSTRUCTION & ENGINEERING FUND

ORCHARD, HILTZ & McCLIMENT	VARIOUS	\$ 63,013.47
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BILLS PAGE 3 TOTAL = \$59,607.35

INDUSTRIAL PARK FUNDS PAGE 4 TOTAL = \$64,881.86

TOTAL FOR APPROVAL = \$142,442.03

DEXTER VILLAGE COUNCIL

SUMMARY OF BILLS AND PAYROLL COSTS

JUNE 24, 1991

PAYROLL COSTS (PAGE 2)	\$ 17,869.94
BILLS DUE (PAGE 3)	58,692.67
INDUSTRIAL PARK FUNDS (PAGE 4)	1,868.39
PETTY CASH (PAGE 5)	<u>82.88</u>
TOTAL BILLS AND PAYROLL COSTS ALL FUNDS	<u>\$ 78,513.88</u>

VILLAGE OF DEXTER COUNCIL PROCEEDINGS

BILLS DUE DATE JUNE 24, 1991

PAYEE—EXPLANATION	CODE	101 GENERAL	206 FIRE	202 MAJOR ST.	203 LOCAL ST.	590 SEWER	591 WATER
<u>PAYROLL COSTS - JUNE 8, 1991</u>							
Sandra J. Egeler		280.60	58.30				
Janet C. Karvel		29.62-G 148.10-R 474.94		118.73	118.73	148.10 118.73	148.10 118.73
James M. Palenick			718.68				
Larry N. Wagner		297.22			392.15		
Mary Ann Lamkin					101.39		
Kurt J. Augustine		180.03		27.96	482.29		
Paul Irish					225.22		
Keith L. Kitchen		394.14		131.37	34.95		
Patrick A. McKillen		202.76		27.96	453.34		
Martin Walsh						894.28	
Derek R. Wiseley						527.76	
Thomas C. Desmet						549.37	
Andrea Dorney							533.88
Edward A. Lobdell						128.24	512.99
Daniel L. Schlaff							
Larry Sebring				160.00			
Fletcher DesAutels							
<u>PAYROLL COSTS - JUNE 15, 1991</u>							
Sandra J. Egeler		524.76	58.30				
Janet C. Karvel		148.10-G 148.10-R 474.94		118.73	118.73	148.10 118.73	148.10 118.73
James M. Palencik			718.68				
Larry N. Wagner		297.22			115.34		
Mary Ann Lamkin					27.96		
Kurt J. Augustine		223.74			133.97		
Paul Irish		133.97			214.35		
Keith L. Kitchen		450.14			150.15		
Patrick A. McKillen		223.74			27.96		
Martin Walsh		152.84			113.33		
Derek R. Wiseley						894.28	
Thomas C. Desmet						422.20	
Andrea M. Dorney							62.14
Edward A. Lobdell - S.L.						587.23	275.09
Daniel L. Schlaff						403.34	
Larry C. Sebring		400.84					
Loren P. Yates		366.68					
Donna L. Fisher		150.84					
Rita A. Fisher							
TOTAL PAYROLL COSTS		5,703.32	553.90	1,153.46	2,601.08	4,940.20	1,917.76

DATE JUNE 24, 1991

AYEE--EXPLANATION	CODE	101 GENERAL	206 FIRE	202 MAJOR ST.	203 LOCAL ST.	590 SEWER	591 WATER
American Speedy Printing	528-727	72.65					
Ann Arbor Welding Supply	548-740					39.37	
AT&T	VARIOUS	59.09				41.09	
Barrett Paving Materials	VARIOUS				68.78		
Baxter Scientific	548-743					207.47	
Berthiaume, Kenneth A., CPA	VARIOUS	1,735.00		435.00	435.00	1,730.00	865.00
Clark Building supply	441-740	31.50					
Connecting Point	548-937					79.95	
Contractors Tool, Inc.	VARIOUS	79.50				24.13	
Copper Sales, Inc.	556-937						629.16
Danka International Sales	172-727	139.99					
Detroit Edison/st. lighting	448-920	1,967.08					
Dexter Leader	VARIOUS	351.62					12.65
Dexter Mill	751-740	35.58					
Egeler, Sandra/reimb mileage	172-861	14.56					
Eck Doheny Supplies, Inc.	441-740	101.60					
Eones Chemicals	548-742					400.00	
En's Rubbish/extra dump fees	528-816	1,159.00					
Ester Bros.	751-941	150.00					
ICHcon -8140 & 8050 Main	VARIOUS	290.83					
" -8360 Huron	548-920					113.16	
State of MI/Dept of Trans.	VARIOUS			11,558.00	11,558.00		
MI Municipal Risk Management	VARIOUS	7,131.32				4,202.39	1,400.79
MI Municipal League	101-815	1,050.00					
O'Grady, Donna/18th payment	265-970.010	600.00					
Printing Systems	253-727	85.31					
Recycle Ann Arbor	528-816.020	861.59					
Shamrock/recycle bins	528-977.030	6,316.00					
Teledial America	172-853	97.73					
Thompson-McCully	463-740			23.20			
Tidy Toms	548-740	123.11					
Utilities Instrumentation	265-935.001	1,063.58					
Washtenaw Development Council	101-815	298.39					
Crownover Concrete & Block	274-974				1,054.50		
TOTAL BILLS DUE		23,815.03		12,016.20	13,116.28	6,837.56	2,907.60

VILLAGE OF DEXTER COUNCIL PROCEEDINGS

BILLS DUE PAGE 4 OF 5
 DATE: JUNE 24, 1991

<u>PAYEE -EXPLANATION</u>	<u>CODE</u>	<u>CONS'T & ENG. FUND</u>	<u>SEWER REPLACEMENT FUND</u>
BERTHIAUME, KENNETH A., CPA	251.000.733-823.000	\$ 580.00	
JONES & HENRY - WA REPLACEMENT	591.556.000-972.113		\$ 1,288.39
	TOTAL BILLS DUE	\$ 580.00	\$ 1,288.39

DEXTER VILLAGE COUNCIL

JUNE 24, 1991

PETTY CASH

ADMINISTRATIVE

Register of Deeds, etc	101-101-	\$ 14.00
Tapes, Refreshments (Council)	101-101-956	9.21
Mileage	101-101-861	16.64
Supplies	101-265-935	7.65
Film, batteries (Zoning Ins.)	101-400-956	12.51

D.P.W.

Gas	101-441-751	10.00
Misc. Supplies	VARIOUS	7.87

WATER DEPT.

Gas	591-556-751	<u>5.00</u>
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TOTAL PETTY CASH EXPENDED ALL FUNDS

\$ 82.88

DEXTER VILLAGE COUNCIL

REGULAR MEETING

JULY 8, 1991

AGENDA

CALL TO ORDER 8:00 P.M. - FIRST OF AMERICA BUILDING, 8123 MAIN ST.

ROLL CALL

PUBLIC HEARING

APPROVAL OF MINUTES OF THE JUNE 24 ,1991 REGULAR MEETING

PRE-ARRANGED CITIZEN PARTICIPATION*

1. KENNETH BERTHIAUME, VILLAGE AUDITOR; PRESENTATION OF FY 90/91 VILLAGE AUDITS.

APPROVAL OF AGENDA

NON-ARRANGED CITIZEN PARTICIPATION**

COMMUNICATIONS

APPROVAL OF BILLS AND PAYROLL COSTS

REPORTS

SHERIFF

FIRE DEPARTMENT

STANDING COMMITTEES AND COMMISSIONS

1. PLANNING
2. PARKS

AD HOC COMMITTEES

1. PUBLIC WARNING SIREN SYSTEM
2. VILLAGE OFFICE FACILITIES

VILLAGE MANAGER

ORDINANCES AND RESOLUTIONS

1. STORAGE AND REPAIR OF MOTOR VEHICLES ORDINANCE - SECOND READING.

OLD BUSINESS

1. FIRE DEPARTMENT FUNDING MEMO (ON TABLE).
2. LEASEHOLD IMPROVEMENTS TO 8123 MAIN - REPORT OF CARPET SELECTION COMMITTEE.

NEW BUSINESS *Wynwood Condominiums*

2. REPORT ON REPAIR & RECONDITIONING OF W.W.T.P. HYDRO-CLEAR SAND FILTER.
3. MUNICIPAL EMPLOYEES RETIREMENT SYSTEM (MERS) DELEGATE AND ALTERNATE SELECTION CERTIFICATION.

- 4~~2~~. PROPOSED UTILITY SHUT-OFF POLICY.
- 5~~4~~. REAR EXIT FROM COTTAGE INN PARKING LOT - POSSIBLE TRAFFIC AND SAFETY CONCERNS.
- 6~~5~~. PROPOSED STREET SWEEPING PROGRAM.
- 7~~6~~. PROPOSED MONUMENT PARK DEVELOPMENT PLAN.

PRESIDENT'S REPORT

ADJOURNMENT

*PRE-ARRANGED CITIZEN PARTICIPATION WILL BE LIMITED TO THOSE WHO NOTIFY THE VILLAGE MANAGER'S OFFICE BEFORE 5:00 P.M. THE THURSDAY PRECEDING THE MEETING STATING THEIR NAME AND INTENT.

**NON-ARRANGED CITIZEN PARTICIPATION WILL INCLUDE THOSE NOT LISTED ON THE PRINTED AGENDA WHO WISH TO SPEAK. THE VILLAGE PRESIDENT, AT HIS DISCRETION, MAY CALL ON MEMBERS OF THE AUDIENCE TO SPEAK AT ANY TIME.

DEXTER VILLAGE COUNCIL
REGULAR MEETING
JULY 8, 1991
8:00 P.M.
FIRST OF AMERICA BANK BUILDING
8123 MAIN STREET
DEXTER, MICHIGAN 48130

The meeting was called to order at 8:03 P.M. by the president.

ROLL CALL

Present: Gordenier, Baroni, Rush, Gregory, Pearson, Yates
Absent: Genske

APPROVAL OF MINUTES

Moved Baroni, support Gregory to approve the minutes of the June 24, 1991, regular meeting as presented.

Ayes: Gordenier, Baroni, Rush, Gregory, Pearson, Yates
Nays: None

PRE-ARRANGED CITIZEN PARTICIPATION

1. K. Berthiaume

Mr. Berthiaume, Village auditor, presented the FY 90/91 Village Audit.

APPROVAL OF AGENDA

Moved Baroni, support Gregory to approve the agenda as amended (Copy attached)

Ayes: Gordenier, Baroni, Rush, Gregory, Pearson, Yates
Nays: None

NON-ARRANGED CITIZEN PARTICIPATION

G. Dworek, 7105 Dexter-Ann Arbor Road, addressed Council requesting investigation of the possible need for a stop sign at the exit drive at Walkabout Creek and questioned Council's spending much time and dollars on the decoration of the bank meeting room. Mr. Dworek also thanked Manager Palenick for the prompt and thorough attention given to the Dworek's request for information dealing with annexation. He also expressed his opinion on the need for the installation of water and sewer lines on Dexter-Ann Arbor Road.

W. Steptoe, 7250 Dan Hoey Road, requested the Village investigate the removal of road signs sitting in the right-of-way as part of the final clean-up of Dan Hoey, the need for replacement of the "curve " sign, and suggested the detour on Dan Hoey Road be re-routed another way. He also expressed his opinion regarding his making two calls to get a response from a sheriff's deputy.

COMMUNICATIONS

Copies of letters from Dexter Senior Citizens, to P. Carpenter, a memo regarding the road surface on Broad Street, and a memo regarding possible zoning changes were included in the packet.

Moved Rush, support Baroni to request information from the Village Manager and Clerk regarding the a possible past allocation of \$3000 to area senior citizens.

Ayes: Baroni, Rush, Gregory

Nays: Gordenier, Pearson, Yates

Moved Gordenier, support Rush to send \$1000 budgeted for senior citizens to Dexter Senior Citizens, Inc.

Ayes: Gordenier, Rush, Gregory, Pearson, Yates

Nays: Baroni

APPROVAL OF BILLS AND PAYROLL

Moved Gregory, support Baroni to approve bills and payroll costs in the amount of \$62,218.76.

Ayes: Gordenier, Baroni, Rush, Gregory, Pearson, Yates

Nays: None

REPORTS

Sheriff - No report

Fire Department - No report

Standing Committees and Commissions

1. Planning Commission - No report

2. Parks - Council received written memo and a copy of the progress print for Monument Park. (Copy attached) The Parks Commission Chr. also addressed Council stating that a proposed Parks Commission Endowment Plan has been drafted and will be forwarded to the Council for the next meeting.

Ad Hoc Committees

1. Public Warning System - A test warning will be conducted on Wednesday as part of information search for determination of location of siren. Interested trustees should contact the V. Mgr. for further information.

2. Village Office Facilities - No report. Trustee Baroni will chair the committee.

Village Manager - Council received written report. (Copy attached)

ORDINANCES AND RESOLUTIONS

1. Storage and Repair of Motor Vehicles Ordinance - Second reading.

The proposed ordinance had been reviewed by the V. Mgr., V. Attorney, and Z. Administrator.

Moved Baroni, support Gordenier to set a public hearing for July 22, 1991 at 8PM for the purpose of taking public comment on the proposed auto storage ordinance.

Ayes: Gordenier, Baroni, Rush, Gregory, Pearson, Yates

Nays: None

OLD BUSINESS

1. Fire Department Funding Memo (On table)

The subject remains on the table.

2. Leasehold Improvements to 8123 Main - Report of Carpet Selection Committee

Moved Gordenier, support Baroni to move the proposed progress print for Monument Park. (Copy on file)
Ayes: Gordenier, Baroni, Rush, Gregory, Pearson, Yates
Nays: None

Moved Gregory, support Gordenier to accept the committee recommendation to let sealed bid specifications for equivalent to 1st Choice - 26oz. Olefin II, Rocky Point, Ironstone grey/2nd choice - 26 oz. Volunteer, Rio Red carpeting for leasehold improvement for 8123 Main Street.

Ayes: Gordenier, Baroni, Rush, Gregory, Pearson, Yates

Nays: None

NEW BUSINESS

1. Cottonwood Condominiums - Section 9.06 Zoning Ordinance
D. Palmer, representing the Cottonwood Condominium development addressed council explaining difficulty in the phased development of the project and requesting council amend the final site plan for the project.

Moved Baroni support Rush to approve the request of N. and D. Palmer to amend the Cottonwood Condominium Project final site plan changing Phase three to Phase four and Phase four to Phase three with no change to the plan as it relates to the construction of the buildings/and or placement of the buildings and to waive any application fees as per the zoning inspector's recommendation.

Ayes: Gordenier, Baroni, Rush, Gregory, Pearson, Yates

Nays: None

2. Report on Repair & Reconditioning of W.W.T.P. Hydro-Clear Sand Filter

Moved Baroni, support Gregory to grant T. Desmet's request to authorize the repairs for the Hydro-Clear Sand Filter at a cost not to exceed \$31,050.

Ayes: Gordenier, Baroni, Rush, Gregory, Pearson, Yates

Nays: None

3. MERS Delegate and Alternate Selection Certification

Moved Baroni, support Gregory to certify Donna Fisher officer delegate and Rita Fischer alternate and Tom Desmet employee delegate and Ed Lobdell employee alternate for the Michigan Employee's Retirement System Annual meeting, September 1991.

Ayes: Gordenier, Baroni, Rush, Gregory, Pearson, Yates

Nays: None

4. Proposed Utility Shut-Off Policy

Moved Baroni, support Gregory to table the issue.

Ayes: Gordenier, Baroni, Rush, Gregory, Pearson, Yates

Nays: None

5. Rear Exit from Cottage Inn Parking Lot - Traffic and Safety Concerns

Council requested the V. Mgr., and DPW Supervisor to investigate the traffic patterns as related to pedestrian safety and make recommendation to the council.

6. Proposed Street Sweeping Program

Moved Gordenier, support Baroni to adopt the amended proposed street sweeping program. (Copy attached)

Ayes: Gordenier, Baroni, Rush, Gregory, Pearson, Yates
Nays: None
7. Proposed Monument Park Development Plan
This subject was taken up under communications.

PRESIDENT'S REPORT

President Yates stated he hoped we can all, including employees, be sensitive to the needs of the people affected by construction in the Village.

ADJOURNMENT

Moved Pearson, support gregory to adjourn the meeting at 10:20 P.M.

Ayes: Gordenier, Baroni, Rush, Gregory, Pearson, Yates
Nays: None

Respectfully submitted,



Donna L. Fisher
Village Clerk

Filing approved-----7-22-91-----

VILLAGE MANAGER'S REPORT - July 8, 1991

- I have included in your packet, an updated status report on all findings and research with respect to the surface emulsion problems encountered on Broad Street. We continue to monitor the situation on a daily and hourly basis to assess possible hazard -- we have "road closed to through traffic" barricades at the ready and available within minutes for possible emplacement; and we have a loaded sand spreader truck also at the ready and available within minutes.

- Utility bills recently sent out for May usage included the curbside recycling brochure presented to Council in the last packet. We will also be making additional copies available with local merchants and retail outlets and having refuse personnel distribute them on their rounds.

- Following a W.D.C. public forum on tax abatements, which proved very supportive to our position on the Doors & Drawers employment release; and following an Ann Arbor News editorial and Ann Arbor Chamber of Commerce formal statement read to the City Commission, both also supportive to our position; I feel the "Release" will be forthcoming. Commissioners Zimmer, Sheldon, and Dodge introduced a resolution to grant the release and the prospect of its passage several weeks from now is said to be good.

- You have a copy of a letter addressed to Phil Carpenter in your packet. It forwards the Council's stated impatience with the inability to promptly close on the "lumber yard" property. It was dated June 25th -- as of this writing I have yet to receive a formal or informal response.

- I have received an electrical plan for Monument Park from Ron Meyer, Lions Club president -- a copy of which has been maintained on file in the Village offices. It would appear that no conflicts with the new traffic signalization should be encountered; any possible minor concerns will be worked out as the signalization structures and equipment are installed. You also have received in your packet a copy of an overall plan for the development of Monument Park submitted by the Parks Commission. I would suggest to Council that any possible approval of such a plan be coordinated with, and first approved by, the Downtown Development Authority; whose development plan includes Monument Park.

- The bore under the Conrail tracks, between Huron and Fifth Streets, for the sanitary trunk sewer has encountered significant problems and subsequent delays. At least three large rocks have seriously complicated the bore operation to date and significant cost extras can be expected. I would also strongly encourage those planning the Dexter Daze festivities to make contingency plans for any activities scheduled for the Monument Park area. With the already-encountered and possible additional delays, it is almost

certain that the sewer line through the Park and bore-pit for Baker Road will be open around the second week of August. You could conceivably see a hole 30 feet deep and 60 feet wide. Consideration might be given to the possible relocation of certain activities to Warrior Creek Park.

- Work has begun on Phase II of the Dexter Business and Research Park. The first operations involve the clear-cutting of trees in the proposed Bishop Circle and Clark Woods Drive right-of-ways and on lots to be developed for sale. Most of the wooded area exists on lots 43-47, owned by Dexter Fastener Technologies, and will not be removed. Some surrounding Scio Township residents have registered alarm over the cutting operations. The scope of the operations has been explained to them and we will try to allay possible concerns they may have within the parameters of the Phase II development plans.

- The Baker Road reconstruction is scheduled to begin, Monday the 8th. Signage identifying the construction operations and indicating detours are being emplaced this week. The Southern end of the job and offsite storm sewer work will be the efforts pursued first.

- DPW crews have completed another 373 foot section of sidewalk (the dead-end block of Third Street). That puts sidewalk replacement already this summer at over 900 of the 2550 feet planned.

- Tom Desmet and I have developed the formalized, utility shut off policy included in you packet. We ask that Council approve the policy so that more consistent and objective enforcement and control can be pursued.

Village of Dexter

Memo:

To: James Palenick, Village Manager.

From: Pat McKillen, Department of Public Works.

Re: Sweeping of Streets.

Date: July 3, 1991

The following is a rough schedule of a street sweeping program. We will be able to get a better handle on this once we are able to operate the machine a few times. All streets in the early spring as weather allows. All streets, at least twice during the summer preferable before Memorial Day, and before Dexter Daze. All streets, after the leaf collection, usually the first two weeks in November. All curbed streets, once a month. These streets would be Baker Rd., Broad St., Wall Court, Cushing Court, Bishop Circles, and Mill Creek Drive. "The Downtown Area", that being from the Mill Creek to Dover St., ^{each week} would be swept in the early morning hours on ^{Weekly} the second Friday of the month. The monthly sweeping will continue through out the year as weather permits. The "Downtown Area" would have top priority over the other streets.

D.F.
7-891

DEXTER VILLAGE COUNCIL/PLANNING COMMISSION JOINT WORK SESSION
JULY 1, 1991
7:00 PM
FIRST OF AMERICA BANK BUILDING
8123 MAIN STREET
DEXTER, MI 48130

The meeting came to order at 7:06 PM.

ROLL CALL

Council -

Present: Gordenier, Rush, Gregory, Yates

Absent: Baroni, Pearson, Genske

Planning Commission -

Present: Arbour, Cousins, Bishop, Betz, Fisher, Hansen, Bell

Absent: Hosmer, Model

Discussion centered around the functions, roles, and relationships of the Council/Planning Commission.

Discussion was held regarding prioritization of rewriting/examining the Zoning ordinance, zoning map, and Master Plan.

Concern regarding installation of lift stations in the Village, problems centered on "having to"/"feeling to have to" "rush"/"make last minute decisions", the need for a possible moratorium on development until infrastructure needs could be met, the need for better communication between the two bodies were expressed.

Also discussed were methods for proceeding with making ordinance changes, who should be involved and at what stages, and what expert might give legal counsel for such a project.

It was mutually decided that there will be quarterly work sessions between the two bodies, scheduled on the first Monday of a month to avoid problems with time constraints. It was also mutually decided to have liaison from the Council to the planning commission.

The Zoning administrator shall begin work with the planning commission and Council to examine the need to rewrite/amend the Village Zoning Ordinance.

The session adjourned at 8:27 PM.

Respectfully submitted,



Donna L. Fisher
Village Clerk

DEXTER VILLAGE COUNCIL

REGULAR MEETING

JULY 22, 1991

AGENDA

CALL TO ORDER 8:00 P.M. - FIRST OF AMERICA BUILDING, 8123 MAIN ST.

ROLL CALL

PUBLIC HEARING

1. STORAGE AND REPAIR OF MOTOR VEHICLES ORDINANCE; #91-2207001.

APPROVAL OF MINUTES OF THE JULY 8 ,1991 REGULAR MEETING

PRE-ARRANGED CITIZEN PARTICIPATION*

1. JOE TOMORSKI - DEXTER SENIOR CITIZENS.
2. ED COY - D.D.A. CHAIR.

APPROVAL OF AGENDA

NON-ARRANGED CITIZEN PARTICIPATION**

COMMUNICATIONS

APPROVAL OF BILLS AND PAYROLL COSTS

REPORTS

SHERIFF

FIRE DEPARTMENT

STANDING COMMITTEES AND COMMISSIONS

1. PLANNING
2. PARKS

AD HOC COMMITTEES

1. PUBLIC WARNING SIREN SYSTEM
2. VILLAGE OFFICE FACILITIES

VILLAGE MANAGER

ORDINANCES AND RESOLUTIONS

1. STORAGE AND REPAIR OF MOTOR VEHICLE ORDINANCE: #91-2207001

OLD BUSINESS

1. SENIOR CITIZENS FUNDING CONTRIBUTION
2. PARKS PLAN-MONUMENT PARK
3. UTILITIES SHUT-OFF POLICY (ON TABLE)
4. LEASE-HOLD IMPROVEMENTS TO BANK: CARPET SELECTION
5. FIRE DEPARTMENT FUNDING MEMO (ON TABLE)

NEW BUSINESS

1. DEXTER DAZE FESTIVAL
2. PEOPLE FOR PEACE - SIGN RESTRICTION REQUEST
3. CHELSEA COMMUNITY FAIR BANNER REQUEST.

PRESIDENT'S REPORT

ADJOURNMENT

*PRE-ARRANGED CITIZEN PARTICIPATION WILL BE LIMITED TO THOSE WHO NOTIFY THE VILLAGE MANAGER'S OFFICE BEFORE 5:00 P.M. THE THURSDAY PRECEDING THE MEETING STATING THEIR NAME AND INTENT.

**NON-ARRANGED CITIZEN PARTICIPATION WILL INCLUDE THOSE NOT LISTED ON THE PRINTED AGENDA WHO WISH TO SPEAK. THE VILLAGE PRESIDENT, AT HIS DISCRETION, MAY CALL ON MEMBERS OF THE AUDIENCE TO SPEAK AT ANY TIME.

DEXTER VILLAGE COUNCIL
REGULAR MEETING
JULY 22, 1991
8:00 P.M.
FIRST OF AMERICA BANK BUILDING
DEXTER, MI 48130

The meeting was called to order at 8:00 P.M. by the President.

Roll Call

Present: Gordenier, Baroni, Rush, Gregory, Pearson, Yates
Absent: Genske

Public Hearings

1. Storage and Repair of Motor Vehicles Ordinance; #91-2207001

The following citizens addressed Council-

K. Fisher-Dworek, 7105 Dexter-Ann Arbor Road, asked questions regarding the enforcement of the nuisance abatement ordinance, regarding the Village right-of-ways and citizens' placement of stakes, containers, boulders, etc. to protect their parking spaces, etc. She also stated she requested Council to not vote on the issue this evening, hoping that more information regarding the subject could be communicated to residents.

D. Steiner, 3615 Cushing Court, spoke against passage of the proposed ordinance in its present form.

V. Michaels, 3649 Cushing Court, is not in favor of passage of the ordinance as it is proposed.

S. Schumacher, 7615 Third, stated he believed the proposed ordinance is aimed in the right direction but believes the proposed ordinance is too restrictive as it relates to car repair. Perhaps the blight ordinance could be revised to take care of problems with junk cars.

Approval of Minutes

Moved Rush, support Gregory to postpone approval of minutes until later in the meeting.

Ayes: Gordenier, Baroni, Rush, Gregory, Pearson, Yates
Nays: None

Pre-arranged Citizen Participation

J. Tomorsky, 3276 Central, read a letter from the Dexter Senior Citizens. (Copy Attached)

E. Coy, chairman of the DDA addressed Council referencing his letter to Council of July 18, 1991. (Copy attached)

Approval of Agenda

Moved Baroni, support Gregory to approve the agenda as amended to include items - New Business 4. Village Parks Donation, Old Business 6. Carpenter Lumber Closing.

Ayes: Gordenier, Baroni, Rush, Gregory, Pearson, Yates
Nays: None

Non-arranged Citizen Participation

K. Fisher Dworek, requested Council take a break to secure more chairs for those who remained standing during the meeting.

A break was taken at 8:25 P.M. The meeting reconvened at 8:35 P.M.

M. Boullion, President of Dexter Senior Citizens Inc. addressed Council stating that senior facility housed in the Masonic Temple on Broad Street is not the Dexter Senior Citizen Center, but is a nutrition site. She and members of her group are hoping for and working for a center where everyone can come for dancing, movies, etc.

R. Bailey, 8063 Main, addressed Council stating that the Dexter Senior Citizens were originally one group chartered at the Broad street address.

P. Cousins, 7648 Forest, addressed Council requesting an opportunity to speak on the subject of the Monument Park Plan later in the meeting.

P. Bishop, 7531 Forest, addressed Council expressing his concern regarding the lack of policy for a method of receiving monetary donations for parks improvement. He also requested Council take public comment before accepting dollars and/or adopting a policy.

K. Fisher-Dworek, 7105 Dexter-Ann Arbor Road, addressed Council encouraging them to focus on the subject of Senior Citizens as a community effort.

M. Boullion, clarified a point made earlier in the meeting stating that no mail addressed to Dexter Senior citizens is received at their home address.

Communications

Letters from the DDA and the Planning Commission regarding the inconsistencies in the proposed DDA Plan and the Parks Commission progress print for Monument Park were included in the packet.

A memo regarding the traffic flow from the Cottage Inn parking lot was included in the packet.

Moved Baroni, support Gordenier to install a "No Through Traffic" sign at the entrance to the Cottage Inn parking lot and a "Yield to Pedestrian" sign at the rear exit onto Central Street.

Ayes: Gordenier, Baroni, Rush, Gregory Pearson, Yates

Nays: None

Bills and Payroll

Moved Gregory, support Gordenier to approve bills and payroll costs (deleting \$1000 payment to Dexter Senior Citizens) in the amount of \$77,987.25.

Ayes: Gordenier, Baroni, Rush, Gregory Pearson, Yates

Nays: None

Reports

Sheriff - Deputy Davis presented the June Sheriff's report.

Fire Dept. - There was no report.

Standing Committees and Commissions

1. Planning Commission - Council received written report.

(Copy Attached)

2. Parks Commission - There was no report.

Ad Hoc Committees

1. Public Warning Siren System - Testing of the siren has been completed and the siren was not well heard.

2. Office Facilities - Chr. Baroni reported the committee will meet July 27, 1991, at 9 AM.

Village Manager - Council received written report. (Copy attached)

Ordinances and Resolutions

1. Storage and Repair of Motor Vehicle Ordinance: #91-2207001.

Moved Baroni, support Rush to table the subject.

Ayes: Gordenier, Baroni, Rush, Gregory Pearson, Yates

Nays: None

Old Business

1. Senior Citizens Funding Contribution

Moved Rush, support Baroni, to postpone the subject of allocation of funding to the Dexter Senior Citizens until such time there is a meeting between President Yates and interested parties and members of both groups.

Ayes: Gordenier, Baroni, Rush, Gregory Pearson, Yates

Nays: None

2. Parks Plan-Monument Park

Moved Gordenier, support Rush to acknowledge the proposed plan for the development of Monument Park as a progress print and to send it to the DDA and the Planning Commission with a request for recommendation.

Ayes: Gordenier, Baroni, Rush, Gregory Pearson, Yates

Nays: None

3. Utilities Shut-Off Policy (On Table)

The subject remains on the table.

4. Leasehold Improvements to Bank: Carpet Selection

Moved Gordenier, support Pearson, to award the carpet work for the bank building to low bidder, David Schlaff at a cost not to exceed \$1835.

Ayes: Gordenier, Baroni, Rush, Gregory Pearson, Yates

Nays: None

5. Fire Department Funding Memo (On Table)

The subject remains on the table.

6. Carpenter Lumber Closing

Discussion only. The Village Manger will continue to pursue closing.

New Business

1. Dexter Daze Festival

D. Kolander, representing the Dexter Daze Committee, addressed Council with an 8 point request for approval of the event. Discussion was held and point 9. Hang the Dexter Daze Banner at

Monument Park was added to the list. Discussion was held regarding insurance to be provided by the Dexter Firefighters Association. Moved Baroni, support Gregory to grant the Dexter Daze Committee request for approval of their 9 points (Copy attached) and that they work with the Village Manager to make sure we get a copy of the insurance policy and to insure that we are named on that policy.

Ayes: Gordenier, Baroni, Rush, Gregory Pearson, Yates

Nays: None

2. People For Peace - Sign Restriction Request

Council requested the V. Mgr. contact People for Peace to have a representative attend a Parks Commission meeting.

3. Fair Banner

Moved Baroni, support Gordenier, to grant the Chelsea Fair Board request for permission to hang the Chelsea Fair Banner at Monument Park from August 11-21.

Ayes: Gordenier, Baroni, Rush, Gregory Pearson, Yates

Nays: None

4. Village Parks Donation

President Yates stated that E. Goings had made a monetary donation to be used for Village Parks developments.

Approval of Minutes was taken up at this time.

Moved Baroni, support Gordenier to approve the minutes as ammended to include under reports, " Moved Gordenier, support Baroni, to approve the proposed progress print for the development of Monument Park as presented. (Copy attached)

Ayes: Gordenier, Baroni, Gregory, Pearson, Yates

Nays: Rush

Adjournment

Moved Baroni, support Pearson to adjourn the meeting at 10:00 P.M.

Ayes: Gordenier, Baroni, Rush, Gregory Pearson, Yates

Nays: None

Respectfully submitted,



Donna L. Fisher
Village Clerk

VILLAGE MANAGER'S REPORT - July 22, 1991

- Crews from Brown Drilling Inc. of Howell this week completed the test drills for the second set of test and observation wells tapping the upper aquifer in the proposed new water well field. Within the next two weeks they will be conducting and completing the 72-hour pump test to determine capacity and possible influence from the lower aquifer or from surface water supply.

- On Monday, July 15th the Ann Arbor City Council formally approved of the "release of employment" pursuant to the P.A. 198 Industrial Facilities Tax Abatement granted Doors and Drawers. The completed abatement application and approved resolution will now be forwarded on to the State.

- I have been in contact with the testing and analysis firm, C.T.I. & Associates, about possible testing on Broad Street. They in turn have been on-site and have consulted with the National Asphalt Institute to better determine the problem and identify the best possible analytical method to assess the condition and original specification of the surface treatment. If they can assure me of a test procedure which can produce a definitive means to confirm or refute that the emulsion and aggregate placed, were done so to specification; then I will have the test or tests pursued. In the absence of assurance of definitive test results, the process would be a waste of time and money.

- The precise specification and color of carpet, as developed by the Council subcommittee designated, was provided each of four local carpet providers solicited to do the work. The process was by "sealed bid" and each had the same opportunity to bid the exact same work, (i.e. same carpet, color, quantity, installation). In your packet, you have a recommendation memo from D.P.W. Superintendent for solicitation of the low bidder. I am in full concurrence with the process and his memo.

- All three major construction projects are fully underway; below is a brief status report of each.

Sanitary Trunk Sewer (Phase II)

The work on the trunk sewer has progressed well following completion of the bore under the Conrail tracks. The contractor has moved along Fifth Street through Broad Street and should be approaching Central Street by Monday. If the current pace can continue, the work may move beyond the Park by Dexter Daze. The second pay estimate has been submitted; invoices to-date total \$127,432.47.

Dexter Business and Research Park (Phase II)

All tree removal is complete; most stump removal is complete. All top-soil stripping has been done, and a good deal of the mass land-balancing has been accomplished. Work on storm sewer installation

has begun. The hot, dry weather has allowed progress to move along well ---contractors have been working long hours. No pay estimates have been submitted to-date.

Baker Road Reconstruction:

Work on storm sewer is being pursued. Pavement removal; the water-line installation; and off-site Pilot Industries storm line work will follow. Some difficulties were encountered with improperly located utility lines requiring the lowering of water lines in several places. This job could get delayed somewhat because the sanitary trunk sewer work should have been nearly done by now and large portions of the Baker Road job can't be pursued until after the trunk sewer is complete. No pay estimates have been received to-date.

- The Carpenter Lumber property purchase should be able to move forward soon. Attorneys for both Carpenter and the holders of the land contract with Carpenter, are in receipt of all the information necessary at this point, to effectively close the deal. They must simply approve of our proposal and create the required documents for the effective land transference. The "ball is in their court", so to speak.

- On July 10, 1991 the Series III L.T.G.O. bond issue for \$975,000 was awarded by the L.D.F.A. to the low-bidding group of purchasers made up of: Michigan National Bank; Kemper Securities Group, inc.; and First of America Bank-Ann Arbor. The average interest rate over the life to the 15-year issue will be 7.38768%; the total net interest cost equals \$707,370.83. The only other bidder was Manufacturers National Bank at an interest rate of 7.396% or net interest cost of \$708,166.67. The L.D.F.A. has now sold three bond issues aggregately totalling \$2,925,000. The fourth and final bond series will be sold sometime in late September or early October; when progress on the three construction projects will dictate the dollar amount needed to fund the project completion. Series IV will be between \$400,000 and \$575,000 (total funding authority can't exceed \$575,000).

- The L.D.F.A., also at its July 10th meeting, approved of a five-year funding contribution to the Washtenaw Development Council, as part of the W.D.C.'s current fund-raising campaign. The commitment from the L.D.F.A. is for \$7,500 per year beginning January 2, 1992 and continuing for each of the successive four years. Total five-year contribution will equal \$37,500 and will be earmarked to come from land-sale revenues rather than tax-increment captures.

- The Downtown Development Authority met on July 11th in a kind of "brainstorming" session with Chet Hill of Wm. Johnson & Associates for the purpose of re-evaluating the approved streetscape development plan with an eye toward bringing a somewhat scaled-down version of it back to the voters for a November 1991 ballot issue. Mr. Hill will be returning to the D.D.A.'s August 6th meeting with precise alternative cost estimates for a scaled-down streetscape program. At that meeting the D.D.A. will be addressing a

recommendation to Council to either come back to the voters with a lower-cost plan in November, or pursue an entirely different method of development, timing, and/or funding.

- The bills and payrolls included in your packet include all activity through Thursday, July 18th. Jan Karvel, who is responsible for this activity has Friday off, so you may see some additions brought on Monday. We felt it was better to give Council everything available at the time of the packet distribution.

ADDITIONAL BILLS DUE - JULY 22, 1991

BILLS DUE ADDED TO (PAGE 2) \$5,196.76 +\$6,738.59 = \$11,935.35

INDUSTRIAL PARK FUNDS \$51,566.29

TOTAL BILLS AND PAYROLL FUNDS FOR APPROVAL = \$78,987.25

VILLAGE OF DEXTER COUNCIL PROCEEDINGS

ADDITIONAL BILLSBILLS DUE
DATE JULY 22, 1991

<u>PAYEE—EXPLANATION</u>	<u>CODE</u>	<u>101 GENERAL</u>	<u>206 FIRE</u>	<u>202 MAJOR ST.</u>	<u>203 LOCAL ST.</u>	<u>590 SEWER</u>	<u>591 WATER</u>
Ann Arbor Implement	441-937	45.00					
Barrett Paving Materials	474-974				72.53		
Crownover Concrete & Block	474-974				2,237.25		
Etna Supply Co.	556-977						556.57
M,W.P.C.A. Storm Water Group	445-815	200.00					
Marathon Petro Co.	VARIOUS	604.90				24.20	46.98
Petoskey Plastics, Inc.	528-740	193.65					
R.P.M. Excavating	474-974				84.00		
S.F. Strong, Inc.	172-956	63.00					
Sebring, Larry-reimb mileage	556-751						11.18
South Huron Industrial Inc.	VARIOUS	400.00		207.00	450.50		
<u>ADDITIONAL BILLS DUE</u>		<u>1,506.55</u>		<u>207.00</u>	<u>2,844.28</u>	<u>24.20</u>	<u>614.73</u>

VILLAGE OF DEXTER COUNCIL PROCEEDINGS - DATE: JULY 22, 1991

<u>PAYEE-EXPLANATION</u>	<u>CODE</u>	<u>CONS'T & ENG. FUND</u>	<u>SEWER REPLACEMENT</u>
DOMAN CEILING & PARTITION CO.	251.000-733-965.010	\$ 1,410.00	
W.ALMA & SON, INC.	251.000-733-965.054	50,044.84	
JONES & HENRY ENGINEERS, INC.	591.556.000-972.113		\$ 111.45
	TOTAL BILLS DUE	\$ 51,454.84	\$ 111.45

① We have about 100 members at the Dexter Senior Center.

② We are located at the Masonic Lodge at 3250 Broad St. We have been there 5 yr. We were at the K of C 5 yr. before we moved to the Masonic Temple.

③ We served 7,546 Congregate meals 4,114 Homebound meals in 1990 this year 1991 ... we have served 3,830 Congregate and 1,934 Homebound meals in Dexter. The meals for Chels and Whitmore Lk. are also cooked at the hall, Chelsea has about the same amount of meals served and Whitmore about half.

We have free Blood Pressure once a month, Euchre everyday and a Tournament once a week, Bingo every Wed. Yoga one a week, day trips, crafts, eye and hearing test about once a year, we have speakers to talk about different topics such as insurance, medicare, health matters, wills, living trust, nursing homes, home care and other important topics, we have an annual corn roast

and some pot lucks.

④ We get \$1,000 a year from United Way which we use for school bus for our day trips, for Birthday parties and other special occasions. We had a van to pick seniors up and take to lunch for about a year or $\frac{1}{2}$ which United Way provided. The driver could not do it anymore so we are looking for another one.

⑤ The Director of the Nutrition program is Armona Pettit, she is paid by Washtenaw County.

⑥ We need money from the Village to replace the carpet at the hall. We also need new card tables. We have 3 bids on carpet, the best is from Webers.

⑦ The \$3,000.00 that was promised originally was for the Seniors at the Dexter Senior Center which is at the hall. The money is sitting in the bank a not being used. We don't have access to

MEMO

TO: DEXTER VILLAGE COUNCIL
FROM: DEXTER DAZE COMMITTEE
DATE: JULY 18, 1991
RE: 1991 DEXTER DAZE FESTIVAL

Plans for the 1991 Dexter Daze Festivities are nearly complete. The Dexter Daze Committee would like to request the assistance of Council to arrange for some details which would facilitate the smooth running of these activities.

1. Close Central Street between Main and 5th.
2. Close Broad Street from Main Street for the length of the Dexter Bakery. It is anticipated that this area will be needed for booth spaces.
3. Install No Parking signs on Central Street on Wednesday evening from Cottage Inn exit to Main Street.
4. Post No Parking signs on Main Street from Cottage Inn entrance to the point of Monument Park.
5. Position "Slow - Pedestrians" sign in the center of the crosswalk on Main Street between Monument Park and Dexter Pharmacy. This proved to be a very effective safety measure in slowing traffic for pedestrian crossings last year.
6. Again this year we will issue permits to those who will be selling merchandise within the village. This provides control for identifying who sets up booths the booth location, and the type of food or merchandise sold. We request Council's agreement that we issue these permits to booth applicants and merchants who occupy space in front of their businesses. This would be done in accordance with Dexter Village Ordinance 22.000-22.009 (inclusive) as amended.
7. Post No Parking signs in the alley between Central Street and Fifth Street.
8. The Dexter Firefighters will be operating the beer tent again this year from 11 a.m. to 11 p.m. both Friday and Saturday. They have complied with all regulations of the State Liquor Control Commission and the Washtenaw County Sheriff Department, and will provide the village with a copy of their insurance policy.

9. Hang Banner at monument park

July 18, 1991

Dexter Village Council
8140 Main Street
Dexter, Michigan 48130

Dear Council Members:

At the July 11, 1991, meeting of the Dexter D.D.A., I was instructed to respond to the action taken by the Village Council at their last meeting in regards to the Parks Commission Landscaping "Progress Print" report.

The D.D.A. Board was somewhat dismayed that the Village Council felt the urgency to take immediate action on this issue that concerns other groups without their input. The D.D.A. as well as the planning commission have been working very hard at addressing some of these same issues.

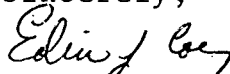
The D.D.A. Plan "B", which was approved by the Village Council 11-12-1990, addressed the park and especially the "Point". This plan has been reviewed by many concerned citizens and Council members who have attended various D.D.A. meetings. The D.D.A. has spent Village money with a professional company to assist in arriving at a presentable plan.

At no time has the Council indicated to the D.D.A. that they were unhappy with Plan "B". So one could assume that we were safe in proceeding on with Plan "B", and obtaining firm costs in order to present to the voters for funding.

The Council's vote for the "Progress Print" makes the D.D.A. committee wonder if we are all pulling together for the same positive development of Dexter. In my judgement, it would make common sense if not political courtesy to consult the other groups that the Council has already appointed to study such issues for input back to the Council. In particular this "Progress Print" that is in conflict with the other approved plans. This type of action appears to be undermining the enthusiasm of the volunteer groups.

I would hope that in the future an open channel of communication can be maintained with all groups in order to solve common problems for the benefit of all.

Sincerely,


EDWIN J. COY,
Chairman, Dexter D.D.A.

To: Dexter Village Council
Dexter Parks Commission
Dexter Downtown Development Authority

From: S. Betz, Chair: Dexter Planning Commission

I've been asked on behalf of the Planning Commission to communicate our review of the Progress Print for Monument Park. This preliminary drawing was discussed at the July 15, 1991 Planning Commission meeting.

The Commission noted that this plan does not conform with the approved DDA plan for the park, particularly on the western end of the park. We also noted there was not a legend on the progress print. It would be prudent to see the park proposal in relation to the surrounding village. For example, does the proposed sidewalk intersection in the southwest corner of the park line up to the sidewalk crossing on Baker Road? We also questioned where the right of way was on the eastern side of the park.

The Commission appreciated having the opportunity to review this proposed plan. We would like to continue to be part of the evaluation process as this plan proceeds.

DEXTER VILLAGE COUNCIL
SPECIAL MEETING
LEVEL OF LIABILITY INSURANCE FOR DEXTER FIREFIGHTERS BEER TENT
JULY 31, 1991
7:00 P.M.
FIRST OF AMERICA BANK BUILDING
DEXTER, MI 48130

The meeting was called to order by the president at 7:00 P.M.

Roll Call

Present: Gordenier, Baroni, Rush, Gregory, Pearson, Genske, Yates
Absent: None

Trustee Rush asked for a brief synopsis of the issue at hand. President Yates stated the council had ok'd the Dexter Daze Committee request for approval for their event which included a beer tent. The Village manager had sent council members a memo regarding the levels of liability insurance and some council members thought they should look at that.

President Yates asked for public comment.

The following citizens addressed council-

P. Bishop, addressed council, asking for clarification as to the purpose of the meeting and asked if a decision regarding the level of insurance required for operation of the tent would be decided at the evening's meeting.

S. Enderle, addressed council stating that Dexter Daze had been planned for several months and that concerns regarding levels should have been presented to the committee at that time.

D. Kolander, asked what impact the recommendation to increase the insurance liability would have on the operation of the beer tent. He also asked where the recommendation had come from and on what information had the recommendation been based on.

F. Model, 7615 Grand, former Daze chr. addressed council stating that the event had grown in popularity and while he could understand the need for future discussion of insurance increases and costs he wished council to let the beer tent survive.

Council held discussion regarding the liability issue.

Moved Baroni, support Pearson, that we request \$500,000 liquor liability insurance and that the Village be named in the policy and that in addition the Village donate \$1000 to the Dexter Daze Committee which will help defray the additional cost.

Ayes: Gordenier, Baroni, Gregory, Pearson, Genske, Yates

Nays: Rush

Adjournment

Moved Baroni, support Gregory, to adjourn the meeting at 8:47 P.M.

Ayes: Gordenier, Baroni, Rush, Gregory, Pearson, Genske, Yates

Nays: None

Respectfully submitted,

Donna L. Fisher
Donna L. Fisher
Village Clerk

July 29, 1991

Jim Palenick, Village Manager
Dexter, Michigan

RE: Memorandum, of July 25, 1991 : Beer tent liability insurance.

I have read your memorandum.

The issue of insurance for the firemen's beer tent insurance was addressed at the last Council meeting on July 22. It was part of a discussion generated by the memo of July 18th and report of the representative from the Dexter Daze Committee who addressed the Council.

Point eight of that Dexter Daze memo to Council indicated that the firefighters would provide a copy of their insurance to the Village for operation of the beer tent.

At that time the Council in its discussion, directed you as Village Manager, to determine the appropriate amount of liability insurance the firefighters would need, and to inform them of that figure.

I have discussed this issue of liability with a group of Dexter citizens and all feel as I do, that the firefighters must provide the amount of insurance the Village needs to have, or they should not proceed with their plans to have a beer tent on Village property this year. It simply is not worth the financial risk to the Village.

Therefore, I for one, wish you would proceed with the appropriate action requested by the Council at its last meeting, and inform the firemen of the insurance amount they must provide in order to place the beer tent on Dexter public property.

Thankyou for following through with Council's request on this matter.

Sincerely,



Jon Rush, Trustee
Village of Dexter

Copy to:

Loren Yates
Members of Council



July 29, 1991

TO: JIM PALENICK, VILLAGE MANAGER

FROM: CARL GENSKE, TRUSTEE

RE: LIABILITY INSURANCE FOR FIREMEN'S ASSOCIATION BEER TENT

DATE: JULY 29, 1991

In reply to your memo I am against the beer tent because of the exposure to the Village & myself as a Trustee. The association, if unable to secure the required amount of liability that is required by the Village, should remove the beer tent themselves and/or we withdraw our support.

A handwritten signature in black ink, appearing to be "Carl F. Genske", written over a printed name.

CARL F. GENSKE

MEMORANDUM

TO: DEXTER VILLAGE COUNCIL

FROM: JIM PALENICK, VILLAGE MANAGER

RE: LIABILITY INSURANCE FOR FIREMEN'S ASSOCIATION BEER TENT

DATE: JULY 25, 1991

In addressing the issue of liability insurance for the Firemen's Association Dexter Daze Beer Tent, with George Smith of Smith-Village Insurance, I have discovered the following:

The Village, its Council, and employees and agents can be named additionally insured on the policy and Mr. Smith has been advised of the Village's requirement that this be done. The policy which the Association plans to take out, however, has a \$100,000 liability limit. This apparently is the most the association can afford, and at slightly in excess of \$1,000.00 in premium costs, taxes the prospect for profitability of the endeavor as it is. Nonetheless, it is clear that with the present scenario the Village has a huge exposure for almost catastrophic liability in the event of a major lawsuit. Hypothetically, if a patron of the beer tent (located on Village property with sanction for operation from the Village Council) were to drink too much; get in his or her vehicle; and promptly go out and involve themselves in a traffic accident where serious injury or fatality occurred; the victim or victims estate could easily sue for damages in the multiple millions. As you now know, however, there would be only \$100,000 in insurance coverage available from the Fireman's Association. Since the "deep pockets" theory of litigation says that you enjoin anyone with money or the possibility of generating money; and since the beer tent activity would have been held in a Village park with the Village's blessing, the Village stands next in line for damages. The only problem there is we have NO liability coverage for liquor-related claims. Thus, if the Village were found culpable in the matter and a multi-million dollar judgement were awarded, the Village would spend the next twenty years of its financial life digging out from the court-imposed payments. Certainly not a scenario I would like to see.

I realize that, at this late date, it would be difficult if not virtually impossible to restrict the beer tent from happening at this years Dexter Daze festival. However, I strongly urge that Council withdraw its support for the sanction of any future alcoholic beverage sales or consumption on Village property unless the responsible organization can provide, at minimum, five million in liability insurance coverage for themselves and the Village as additionally insured. I certainly hate to be the bearer of such

alarmism toward what has become local tradition. However, the size of this activity, and the risk and liability exposure associated therewith, has outpaced the Village's ability to effectively and responsibly insure against financial tragedy.

One might also consider, that the sanctioning of alcohol consumption on public property may very well send out the wrong message at a time when concern over the abuse of alcohol and other substances is a recognized problem.

In any event, I would ask for direction from Council. Am I to assume that we move forward with this years activities as planned-with a particular eye toward enforcement of D.U.I.L. statutes? Do we alter our handling of this issue in the future? Do we yet alter this years planned activities?

I need input. The Dexter Daze festival will occur prior to our next scheduled Council meeting. (August 12th) 426-8303.

DEXTER VILLAGE COUNCIL

REGULAR MEETING

AUGUST 12, 1991

AGENDA

CALL TO ORDER 8:00 P.M. - FIRST OF AMERICA BUILDING, 8123 MAIN ST.

ROLL CALL

PUBLIC HEARING

APPROVAL OF MINUTES OF THE JULY 22 ,1991 REGULAR MEETING AND JULY 31, 1991 SPECIAL MEETING.

PRE-ARRANGED CITIZEN PARTICIPATION*

1. PRESENTATION OF MEMENTOS TO FORMER COUNCIL MEMBERS.

APPROVAL OF AGENDA

NON-ARRANGED CITIZEN PARTICIPATION**

COMMUNICATIONS

APPROVAL OF BILLS AND PAYROLL COSTS

REPORTS

SHERIFF

FIRE DEPARTMENT

STANDING COMMITTEES AND COMMISSIONS

1. PLANNING 3. DDA
2. PARKS

AD HOC COMMITTEES

1. PUBLIC WARNING SIREN SYSTEM
2. VILLAGE OFFICE FACILITIES

VILLAGE MANAGER

ORDINANCES AND RESOLUTIONS

1. STORAGE AND REPAIR OF MOTOR VEHICLES ORDINANCE (ON TABLE).

OLD BUSINESS

1. UTILITIES SHUT-OFF POLICY (ON TABLE).
2. FIRE DEPARTMENT FUNDING MEMO (ON TABLE).
3. SENIOR CITIZENS FUNDING CONTRIBUTION (REPORT OF PRESIDENT'S MEETING)
4. *Carpenter Lumber Purchase*

NEW BUSINESS

1. DOWNTOWN DEVELOPMENT AUTHORITY'S PROPOSAL FOR FUNDING REVISED DOWNTOWN STREETScape DEVELOPMENT PLAN.
2. LEGAL ALLOCATION OF PUBLIC FUNDS.
3. APPOINTMENT OF EX-OFFICIO MEMBER OF SOLID WASTE FACILITY

SITING COMMITTEE.

4. OFFICIAL BALLOT - MICHIGAN MUNICIPAL WORKERS COMPENSATION FUND.
5. MINOR AMENDMENT TO FINAL SITE PLAN: WALKABOUT CREEK; PHASE II.
6. REVISED PROPOSAL FOR P.I.L.O.T. PROGRAM: WALKABOUT CREEK; PHASE II.

7. *Seating arr. at Council meeting*
PRESIDENT'S REPORT

8. *Incoming mail to the village & the associated duties of the assistant Clerk*
ADJOURNMENT

*PRE-ARRANGED CITIZEN PARTICIPATION WILL BE LIMITED TO THOSE WHO NOTIFY THE VILLAGE MANAGER'S OFFICE BEFORE 5:00 P.M. THE THURSDAY PRECEDING THE MEETING STATING THEIR NAME AND INTENT.

**NON-ARRANGED CITIZEN PARTICIPATION WILL INCLUDE THOSE NOT LISTED ON THE PRINTED AGENDA WHO WISH TO SPEAK. THE VILLAGE PRESIDENT, AT HIS DISCRETION, MAY CALL ON MEMBERS OF THE AUDIENCE TO SPEAK AT ANY TIME.

9. *monument*
~~The~~ Park - route of H₂O & sewer line

DEXTER VILLAGE COUNCIL
REGULAR MEETING
AUGUST 12, 1991
8:00 P.M.
FIRST OF AMERICA BANK BUILDING
8123 MAIN STREET
DEXTER, MI 48130

The meeting was called to order at 8:00 P.M. by the president.

Roll Call

Present: Gordenier, Baroni, Rush, Gregory, Pearson, Genske, Yates

Absent: None

Approval of Minutes

Moved Gordenier, support Genske to approve the minutes of the July 22, 1991, regular meeting as presented.

Ayes: Gordenier, Baroni, Rush, Gregory, Pearson, Genske, Yates

Nays: None

Moved Gordenier, support Gregory to approve the minutes of the July 31, 1991, special meeting and to attach a copy of the letter from the Village Attorney dated August 1, 1991.

Ayes: Gordenier, Baroni, Rush, Gregory, Pearson, Genske, Yates

Nays: None

Approval of Agenda

Moved Baroni, support Pearson to amend the agenda to include - Old Business 4. Carpenter Lumber Purchase and New Business 7. Seating arrangements, 8. Incoming Mail to the Village and the Associated Duties of the Assistant Clerk, 9. Monument Park Water and Sewer Line Route.

Ayes: Gordenier, Baroni, Rush, Gregory, Pearson, Genske, Yates

Nays: None

Communications

The state Michigan week committee has requested input from communities regarding their participation if the Michigan Week Mayor's Exchange Program. Council also received a letter of request for financial support from the Dexter Area Historical Society and a letter from T. Klever expressing his support of the proposed storage and repair of motor vehicles ordinance.

Approval of Bills and Payroll

Moved Gregory, support Baroni to approve the payment of bills and payroll in the amount of \$360,882.31.

Ayes: Gordenier, Baroni, Rush, Gregory, Pearson, Genske, Yates

Nays: None

Reports

Sheriff - No report.

Fire Department - The next fire board meeting will be 8-27-91.

Standing Committees

1. Planning Commission - Liaison Rush gave oral report of the meeting. Council received written report. (Copy attached)

2. Parks Commission - Parks Chair Luton presented copies of the proposed Parks Endowment Plan to council. (Copy attached). She also reported that the final Master Plan for Monument Park will be in the next packet and that she did not pay for the sewer lead installed in the park.

Ad Hoc Committees

1. Public Warning System - Chr. Rush stated that reports have been submitted to the village manager, that the subject be considered at budget time next year and that the committee is dissolved.

Moved Rush, support Gregory that the subject of a new siren system for the Village be referred to the Village Manager for action when it is appropriate.

Ayes: Gordenier, Baroni, Rush, Gregory, Pearson, Genske, Yates

Nays: None

2. Village Office Facilities - Chr. Baroni presented written report. (Copy attached)

Village Manger - Council received written report. (Copy attached)

Ordinances and Resolutions

1. Storage and Repair of Motor Vehicles Ordinances (On Table)

Moved Genske, support Rush to remove the subject from the table.

Ayes: Gordenier, Baroni, Rush, Gregory, Pearson, Genske, Yates

Nays: None

Moved Gordenier, support Baroni to adopt proposed ordinance as written. (Copy attached)

Ayes: Gordenier, Baroni, Rush, Gregory, Pearson, Genske, Yates

Nays: None

Old Business

1. Utilities Shut-Off Policy - (On Table)

Moved Gordenier, support Genske to remove the subject from the table.

Ayes: Gordenier, Baroni, Rush, Gregory, Pearson, Genske, Yates

Nays: None

After discussion, Council requested for more information from the Mgr. regarding what current problems exist.

Moved Rush, support Genske to table the subject.

Ayes: Gordenier, Baroni, Rush, Gregory, Pearson, Genske, Yates

Nays: None

2. Fire Department Funding - (On Table)

The subject remains on the table.

3. Senior Citizens Funding Contribution (Report of President's Meeting)

The president stated he had been meeting with representatives from two groups of senior citizens.

4. Carpenter Lumber Purchase

Moved Baroni, support Pearson to delay closing until after 9-15-91 to give all council members an opportunity to tour facilities and digest the committee report.

Ayes: Gordenier, Baroni, Rush, Gregory, Pearson, Genske, Yates

Nays: None

New Business

1. Downtown Development Authority's Proposal For Funding Revised Downtown Streetscape Development Plan.

DDA Chr. J. Simonds and Chet Hill, representing W. Johnson Associates, explained deletions made from the previous plan which would reduce the dollar amount.

Moved Gordenier, support Gregory to accept the DDA recommendation "that a Village of Dexter General Obligation Bonding proposition be placed on the November 1991 election ballot requesting the approval to borrow up to \$595,000 and issue bonds therefore for the purposes of funding the D.D.A.'s approved streetscape design plan."

Ayes: Gordenier, Baroni, Rush, Gregory, Pearson, Genske, Yates

Nays: None

2. Legal Allocation of Public Funds

Council received the opinion from the village attorney regarding the legality of the donation of \$1000 dollars to the Dexter Daze Committee, trustee Rush stated his belief that the need for a policy, the need to develop guidelines for allocation of public funds, has become an urgent matter. *as such a contribution is not legal under the constitution of the state of Michigan*

Moved Baroni, support Gregory to table the subject.

Ayes: Gordenier, Baroni, Rush, Gregory, Pearson, Genske, Yates

Nays: None

3. Appointment of Ex-Officio Member of Solid Waste Facility Siting Committee.

Moved Baroni, support Gregory to appoint L. Yates as Ex-Officio Member of the Solid Waste Citing Committee

Ayes: Gordenier, Baroni, Rush, Gregory, Pearson, Genske, Yates

Nays: None

4. Official Ballot - Michigan Municipal Workers Compensation Fund

Moved Genske, support Gregory to direct the Village Manager to vote the Michigan Municipal Workers Compensation Fund ballot supporting the seven listed nominees.

Ayes: Gordenier, Baroni, Rush, Gregory, Pearson, Genske, Yates

Nays: None

5. Minor Amendment To Final Site Plan: Walkabout Creek; Phase II

P. Seybert, representing W. S. Smith Co., addressed council explaining the request for minor changes in the site plan regarding handicap access.

Moved Rush, support Pearson to accept the Village Planner/Zoning Administrator to approve the minor amendment to the Walkabout Creek; Phase II final site plan.

Ayes: Gordenier, Baroni, Rush, Gregory, Pearson, Genske, Yates

Nays: None

6. Revised Proposal for P.I.L.O.T. Program: Walkabout Creek; Phase II

P. Seybert, representing W. S. Smith Co., addressed council explaining the company's revised proposal.

Moved Baroni, support Rush to set a public hearing for August 26, 1991, at 8 P.M., for the purpose of taking public comment on the revised proposal for the P.I.L.O.T. Program; Walkabout Creek: Phase II.

Ayes: Gordenier, Baroni, Rush, Gregory, Pearson, Genske, Yates

Nays: None

7. Seating Arrangements At Council Meetings

Moved Baroni, support Gregory to grant the village president the authority to make seating arrangements for council members, the president, clerk and village manager at council meetings.

Moved Rush, support Genske to table the subject.

Ayes: Rush, Genske

Nays: Gordenier, Baroni, Gregory, Pearson, Yates

Agreed by Baroni and Gregory to amend the motion to read:

Moved Baroni, support Gregory to grant the village president the authority to make seating arrangements for the president, the clerk and the village manager.

Vote on amended motion.

Ayes: Gordenier, Baroni, Rush, Gregory, Pearson, Yates

Nays: Genske

8. Incoming Mail to the Village and the Associated Duties of the Assistant Clerk

Discussion was held concerning office procedures followed for distribution of mail. Clerk Fisher explained that while it could be, currently the incoming mail is not opened/distributed as a function of either the Village Clerk or the deputy clerk but rather is handled as a function of administrative assistants Karvel and in her absence assistant Egeler.

9. Monument Park - Route of Sewer Line

Trustee Genske informed Council that he is aware of the installation of a sewer lead tapped into the new sanitary trunk sewer line plan approved and authorized by the Village and asked President Yates for information regarding who was responsible for this installation as he had talked with the Village Manager and he had not authorized such alteration of the plan. The President stated that he didn't know what happened. Dexter Leader reporter, D. Lambert, then rose from her chair in the audience and stated

that she had paid for the extension. Trustee Genske asked her in what authority she had acted. She stated that she didn't know she needed authority. Trustee Genske stated he believed her action to be an illegal act. She then responded with a query of what was going to be done about it and commented she could be given a public reprimand. President Yates stated that as the lead was in and didn't have to be connected if the Village did not wish to do so could not the issue be dropped. Trustee Rush stated Ms. Lambert's wishing to contribute to the community ^{and who gave the authorization} ~~and her representing the Village to change a work order with no authority~~ were clearly separate issues. Trustee Genske then asked Manager Palenick for any information he had received from Village/construction inspectors. He stated he wished to reserve comment until he was able to do more research and gather signed statements to present to Council. Trustee Genske then asked the manager to give a more complete report at the next meeting.

DF.
8-26-91

President's Report

Mr. Yates questioned the manner in which people in the community can reach the Village water department in off hours. Mgr. Palenick informed him that citizens can contact the Sheriff's Dept. and a message will be relayed.

Adjournment

Moved Baroni, support Pearson to adjourn the meeting at 10:24 P.M.

Ayes: Gordenier, Baroni, Rush, Gregory, Pearson, Genske, Yates
Nays: None

Respectfully submitted,



Donna L. Fisher
Village Clerk

Filing Approved-----8-26-91-----

VILLAGE MANAGER'S REPORT - August 12, 1991

- The Carpenter Lumber property purchase was tentatively set to close August 15th. Now however, I feel we'll have to arrange for a Phase I environmental survey to protect our interest prior to closing and the date will be extended to the last week in August. Final details on language for the environmental certification on the part of the seller, are also being worked out currently. The land contract calls for possession to be taken 30 days following closing.

- Construction Update:

1) Dexter Business and Research Park, Phase II: all tree removal and clearing is complete; all debris has been removed. Virtually all the land balancing and compacting of soils is complete; there remains some possibility that "cuts" may slightly exceed "fills" and some dirt may have to be exported off-site. The detention basin is now complete awaiting only seeding and fencing. The roadways (Mill Creek Drive and Bishop Circle) have been rough-graded. A good deal of underground storm sewer has been put in place including the large junction chamber at the confluence of three lines. A good portion of sanitary sewer has been emplaced as well. The underground utility work will continue for several weeks while the final earth balancing and top-soil re-spreading occurs. Pay estimates requested to date total \$155,877.18.

2) Baker Road: A good portion of the water line replacement is now in place. All pavement and sidewalk removal is complete. A good portion of the storm-sewer work required south of the Sweepster building complex has been completed. With the DNR permit in hand, the off-site storm work through the Pilot Industries property has begun. Utility relocations by Detroit Edison, Michcon, Bell, and Clear Cable are either complete or well on their way to completion. Work on the Northern end of the job will occur more as the sanitary trunk sewer moves farther along down Baker to its conclusion. Pay estimates requested to date total \$101,473.88.

3) Sanitary Trunk Sewer, Phase II: The work has progressed down Central Street to and through Monument park and down Baker Road to almost the Post Office. The bore under Main Street (in excess of 100 feet) was accomplished relatively quickly without complication or cost extras. All sewer leads to individual residences north of Main Street have now been hooked up. following the Dexter Daze Festival, crews will be working to restore, regrade, and rebuild those portions of Fifth and Central Streets torn up by the project. Pay estimates requested to date total \$161,775.38.

- I have included in the packet the official observations and recommendations from CTI and Associates, testing engineers, with respect to the Broad Street surface treatment problems. As indicated they could not obtain a meaningful sample for analysis

given the properties of the surface observed. As I have indicated before, they, along with representatives of the Asphalt Institute recommended sand treatment until cured and the milling off of the old surface before any new surface is to be emplaced.

- The well and pump test for the upper aquifer potable water test well was completed last week. The results however, were quite disappointing. It would seem that the information gathered indicate the inability of the upper aquifer, in the location specified, to support sufficient enough capacity to locate a municipal well. It would seem, at this point, that our planning and design will be limited to the lower aquifer.

- The inaugural pickup for the curbside recycling program occurred on Wednesday August 7th. The pickup went off without a hitch and was smoothly completed in less than three hours. Over 260 pounds of HDPE #2 plastics were collected; 1250 pounds of newspaper; nearly 200 pounds of clear glass and over 100 pounds of tin. Seventy residents participated and we expect the participation rate to increase consistently and significantly as the program continues. I personally, along with Superintendent McKillen, emptied the bins and rode the entire route. The program is simple, convenient, and quite effective. I look forward to many more participants. I would extend my thanks and encouragement to Councilman Rush and Clerk Fisher for participating in the curbside program.

- The Board of Review of Scio Township has forwarded on assessment changes to the Village which will now result in the loss of the following 1991 tax revenues: General operating \$3,996.99; Major Streets \$623.14; Local Streets \$1,166.16; and Sewer debt service of \$645.39. Total 1991 losses from budget = \$6,431.68. In addition the Village must pay back \$984.55 for 1990 assessment rollbacks just received. Assessment changes for the L.D.F.A. will result in a 1991 tax gain of \$1,137.94 and a 1990 loss or "payback" of \$23,830.01. This news is yet another squeeze on the FY 91/92 Village budget which must be met by ultimate budget amendments -- some cutbacks will have to be made to the original budget before the year is out. Remember also, the Fire Department still presents a \$15,603 budget overage.

DEXTER VILLAGE COUNCIL
SUMMARY OF BILLS AND PAYROLL COSTS

AUGUST 12, 1991

PAYROLL COSTS (PAGE 2)	\$ 27,047.62
BILLS DUE (PAGE 4)	41,075.15
INDUSTRIAL PARK FUNDS (PAGE 6)	<u>292,759.54</u>
TOTAL BILLS AND PAYROLL COSTS ALL FUNDS	<u>\$ 360,882.31</u>

L.D.F.A. FUNDS \$915.00

PAYEE—EXPLANATION	CODE	101 GENERAL	206 FIRE	202 MAJOR ST.	203 LOCAL ST.	590 SEWER	591 WATER
<u>PAYROLL COSTS - JULY 20, 1991</u>							
Sandra J. Egeler		524.76	58.30				
Janet C. Karvel		29.62-G 148.10-R					
James M. Palenick		474.94		118.73	118.73	148.10 118.73	148.10 118.73
Larry N. Wagner			652.57				
Mary Ann Lamkin		297.22					
Kurt J. Augustine		23.06		392.15	46.13		
Paul Irish		27.96		181.78	69.92		
Keith L. Kitchen		66.98		468.88			
Patrick A. McKillen		112.61		457.39	180.74		
Martin Walsh		27.96		181.78	69.92		
Derek R. Wiseley		50.37		402.97			
Thomas C. Desmet						715.42	
Andrea M. Dorney						527.76	
Edward A. Lobdell						686.72	
Daniel L. Schlaff							479.07
Larry C. Sebring							669.14
Donald Dettling - Extra help F.D.			57.76				
<u>PAYROLL COSTS - JULY 27, 1991</u>							
Sandra J. Egeler		502.90	58.30				
Janet C. Karvel		148.10-G 148.10-R					
James M. Palenick		474.94		118.73	118.73	148.10 118.73	148.10 118.73
Larry N. Wagner			718.68				
Mary Ann Lamkin		297.22					
Kurt J. Augustine		46.13		11.53	403.68		
Paul Irish		55.93		48.94	62.92		
Keith L. Kitchen		26.79		26.79	482.28		
Patrick A. McKillen		300.30		262.76	187.68		
Martin Walsh		55.93		111.87	111.86		
Derek R. Wiseley		25.18		25.18	453.34		
Thomas C. Desmet						558.92	335.35
Andrea M. Dorney						527.76	
Edward A. Lobdell						686.72	260.15
Daniel L. Schlaff							699.49
Larry C. Sebring						128.24	550.19

VILLAGE OF DEXTER COUNCIL PROCEEDINGS

BILLS DUE
DATE AUGUST 12, 1991

PAYEE—EXPLANATION	CODE	101 GENERAL	206 FIRE	202 MAJOR ST.	203 LOCAL ST.	590 SEWER	591 WATER
<u>PAYROLL COSTS - AUGUST 3, 1991</u>							
Sandra J. Egeler		364.84	52.12				
Janet C. Karvel		148.61-G 148.62-R				148.62	148.62
James M. Palenick		475.86		118.96	118.96	118.96	118.96
Larry N. Wagner			574.94				
Mary Ann Lamkin		294.40					68.04
Kurt J. Augustine				529.87	58.87		
Paul Irish		55.93		139.84	27.96		
Keith L. Kitchen				341.45	68.29		
Patrick A. McKillen		228.97		496.13	38.16		
Derek R. Wiseley				327.55	65.51		
Thomas C. Desmet						732.06	183.41
Edward A. Lobdell						620.79	88.68
Martin Walsh		55.93		195.77	27.96		
Andrea M. Dorney						540.16	
Daniel L. Schlaff						227.21	113.60
Larry Sebring						64.75	388.51
Donald Dettling - Extra help F.D.			111.78				
TOTAL PAYROLL COSTS		5,638.26	2,284.45	4,959.05	2,711.64	6,817.75	4,636.47

VILLAGE OF DEXTER COUNCIL PROCEEDINGS

BILLS DUE PAGE 4 OF 6

DATE AUGUST 12, 1991

PAYEE—EXPLANATION	CODE	101 GENERAL	206 FIRE	202 MAJOR ST.	203 LOCAL ST.	590 SEWER	591 WATER
Ann Arbor Welding Supply Co.	441-740	10.00					
AT&T Credit Corp.	VARIOUS	59.09				41.09	
AT&T - 426-4572	548-853					36.84	
" - 426-8303	172-853	36.84					
Barrett Paving Materials Inc.	463-740			36.08			
Baxter Scientific Products	548-843					85.21	
Boullion Sales, Inc.	441-937	7.45					
Brian Koch Heating/Cooling	301-935	64.75					
Bridgewater Lumber	463-740				258.96		
Builders Heating Supply Co.	265-975	254.97					
Business Resources, Inc.	172-727	130.11					
Carpenter Hardware/Lumber	VARIOUS	54.24		19.00			28.75
Case Power & Equipment	441-750	69.69					
Chelsea Lumber Co.	441-740	87.00					
Cottage Gardens, Inc.	441-958	780.00					
Crownover Conctete/Block Co.	VARIOUS			969.00	940.50		
Detroit Edison							
8360 Huron & CW lift Sta.	548-920					3,366.07	
3620 & 3676 Central	556-920						1,573.98
8050,8140,7982,8014 MAIN	VARIOUS	438.96					
Dexter Office Supply	VARIOUS	35.20				3.98	
Dexter, Village of	VARIOUS	16.31				44.48	
ETNA Supply Co.	VARIOUS					35.04	154.00
Grand Rapids Loose Leaf Inc.	556-740						107.97
Gross Equipment	441-740	12.44					
Haas Transmission Services, Inc.	441-939	166.89					
Hackney Ace Hardware	VARIOUS	302.54		41.22		8.07	53.27
Len's Rubbish/contract 7-91	528-816	10,678.67					
" " /recycle	528-816.020	2,000.00					
Lester Bros.	751-941	150.00					
MI Bell - 426-8530	441-853	110.21					
" " - 426-8303	172-853	113.62					
" " - 426-4572	VARIOUS					153.02	76.52
Municipal Supply Co.	556-937						303.82
Parts Peddler Auto Supply	VARIOUS	2.88				13.54	3.60

VILLAGE OF DEXTER COUNCIL PROCEEDINGS

BILLS DUE PAGE 5 OF 6
DATE AUGUST 12, 1991

<u>PAYEE—EXPLANATION</u>	<u>CODE</u>	<u>101 GENERAL</u>	<u>206 FIRE</u>	<u>202 MAJOR ST.</u>	<u>203 LOCAL ST.</u>	<u>590 SEWER</u>	<u>591 WATER</u>
Personal Computer Rentals	172-941	94.29					
RAM Communications of MI	441-853	37.00					
R.P.M. Excavating Inc.	474-974			192.50			
Scio Electric Service	VARIOUS	386.91		60.00			
Thompson-McCully	463-740			48.40			
Umstead Manufacturing Co.	VARIOUS	360.00				20.00	
W.C.S.D./6-91 contract	301-802	15,757.00					
Wedmeyer Electronic Supply Co.	556-937						23.00
Williams Sewer Service, Inc.	548-826					160.00	
TOTAL BILLS DUE		32,217.06		1,366.20	1,199.46	3,967.34	2,325.09

VILLAGE OF DEXTER COUNCIL PROCEEDINGS

DATE: AUGUST 12, 1991

BILLS DUE

<u>PAYEE-EXPLANATION</u>	<u>CODE</u>	<u>CONSTRUCTION & ENG. FUND</u>
STATE OF MICHIGAN/DEPT. OF TRANS.	251.000.733-965.010	\$ 1,065.57
B & V CONSTRUCTION, INC.	VARIOUS	155,877.18
W. Almas & Son, Inc.	251.000.733-965.054	34,342.91
American Contracting	251.000.733-965.032	101,473.88
		<hr/>
	TOTAL BILLS DUE	\$ 292,759.54
		<hr/> <hr/>

L.D.F.A. EXPENSES

MIDWEST BANK NOTE COMPANY	\$915.00
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LONG, CLARK & BAKER

ATTORNEYS AT LAW

320 NORTH MAIN STREET

SUITE 100

ANN ARBOR, MICHIGAN 48104

PETER A. LONG
E. SPAULDING CLARK II
BASIL A. BAKER

TELEPHONE
663-8111
AREA CODE 313

FACSIMILE TRANSMISSION

FACSIMILE NUMBER: (313) 663-1193

TO: James M. Palenick, Village Manager
Village of Dexter

FAX NUMBER: 426-0061

FROM: Peter A. Long

DATE: 8-12-91 (Mon)

The information contained in this communication is confidential. It may be attorney-client privileged and may constitute inside information. It is intended only for the use of the addressee. Unauthorized use, disclosure or copying is strictly prohibited and may be unlawful. If you have received this communication in error, please immediately notify us at (313) 663-8111.

COVER PAGE PLUS 9 PAGES

=====

COMMENTS:

Original letter mailed this date

LONG, CLARK & BAKER

ATTORNEYS AT LAW

320 NORTH MAIN STREET

SUITE 100

ANN ARBOR, MICHIGAN 48104

PETER A. LONG
E. SPAULDING CLARK II
BASIL A. BAKER

TELEPHONE
663-8111
AREA CODE 313

August 12, 1991

Mr James M. Palenick
Village Manager
Village of Dexter
8140 Main Street
Dexter, Michigan 48130

Re: Gifts or Donations by the Village

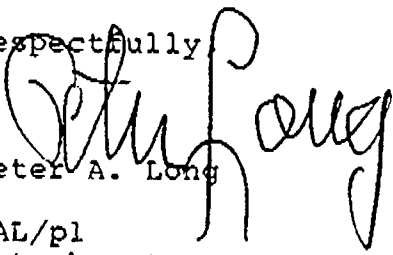
Dear Jim:

In our phone conversation this morning you mentioned that certain Council Members desired additional information regarding the power/lack of power in the Village to make donations.

The Michigan Constitution clearly prohibits the payment of public funds in aid of private entities...whether to large profit corporations or to small charitable non-profit groups. This would not preclude contracting with an entity for legitimate services to be rendered to the municipality, however. Such distinctions are important. Another example: while you can't use public general funds to establish a revolving loan fund, you can do so if the funds were from federal or state grants (cf. the Village loans to DAPCO and V-Tech).

Rather than providing you with a comprehensive opinion letter on this subject, I've attached some additional reference materials which should be read together with those provided with my August 1st letter. If you or Council desire additional information, I'll be glad to provide it.

Respectfully


Peter A. Long

PAL/pl
Attachments

There is no similar provision in the Michigan Liquor Control Act authorizing the sale of beer or other alcoholic liquor by a brewer for consumption on the premises.

Reading MCL 436.2j; 436.19a(3), 436.31, and 436.31a; MSA 18.972(10), 18.990(4)(3), 18.1002, and 18.1002(1), together, the legislative intent is manifest that a brewer may lease real property to a person licensed to sell alcoholic liquor for consumption on the premises, but may have no other financial interest, direct or indirect, in the establishment or operation of premises licensed to sell alcoholic liquor for consumption on the premises.

It is my opinion, in answer to your second question, that a brewer is prohibited from selling alcoholic liquor for consumption on the premises at the location of a micro-brewery.

FRANK J. KELLEY,
Attorney General.

✓ CONSTITUTIONAL LAW: Const 1963, art 9, § 18—pledge of credit by county through loans to private businesses

COUNTIES: Loans of general revenues to private businesses

A county may not use its general revenues to establish and maintain a revolving loan fund to make loans to private businesses.

Opinion No. 6398

November 5, 1986.

Honorable Paul Hillegonds
State Representative
The Capitol
Lansing, Michigan

Honorable Ed Fredricks
State Senator
The Capitol
Lansing, Michigan

You have asked for my opinion on the question whether a county may use its general revenues to establish and maintain a revolving loan fund to make loans to private businesses.

As background to your questions, you have provided the following information:

"Allegan County currently has an application pending with the US Economic Development Administration to assist in the capitalization of a \$300,000 Revolving Loan Fund. Under this application, the loan fund would be capitalized initially using \$250,000 from the Title IX Federal funds and \$250,000 from Allegan County's General Revenue Fund.

"The money would be used for economic development purposes: to assist business and industry in Allegan County by leveraging private dollars. We anticipate the loan funds would be used to encourage banks to make more high risk loans, since the County loan funds would assume a secondary collateral position to the regulated lender. Once repaid by the borrower, the loan funds would return to the fund and would be recycled for similar purposes."

It is elementary that a county has only such powers as have been granted to it by the Michigan Constitution or the State Legislature. *Alan v Wayne County*, 388 Mich 210, 245; 200 NW2d 628, *reh den*, 388 Mich 626; 202 NW2d 277 (1972).

Const 1963, art 7, § 1, provides:

"Each organized county shall be a body corporate with powers and immunities provided by law."

Const 1963, art 7, § 8, provides:

"Boards of supervisors [now referred to as commissioners] shall have legislative, administrative and such other powers and duties as provided by law."

Const 1963, art 7, § 34, provides:

"The provisions of this constitution and law concerning counties, townships, cities and villages shall be liberally construed in their favor. Powers granted to counties and townships by this constitution and by law shall include those fairly implied and not prohibited by this constitution."

In Const 1963, art 9, § 18, the people have, in pertinent part, provided:

"The credit of the state shall not be granted to, nor in aid of any person, association or corporation, public or private, except as authorized in this constitution."

OAG, 1973-1974, No 4851, pp 196, 197 (November 4, 1974), considered the question of whether a county could satisfy a requirement for disbursement of federal revenue sharing funds that the county be able to use its own general funds to provide financial assistance to a private, nonprofit hospital. The opinion concluded that a county could not use its general funds to provide such financial assistance:

"A search of applicable statutory law fails to disclose authority for the county to use its fund in support of a private entity. However, *Oakland County Drain Commissioner v City of Royal Oak*, 306 Mich 124; 10 NW2d 435 (1943), holds that counties are subject to the constitutional prohibition against grant of the credit of the state to any person, association or corporation, public or private, as set forth in Const 1908, art 10, § 12. . . . In substance, Const 1963, art 9, § 18 is the same. . . ."

Similarly, in OAG, 1975-1976, No 4904, p 193 (November 3, 1975), it was held that a county is prohibited by Const 1963, art 9, § 18, from appropriating its funds to assist in the construction and operation of a public television station operated by a state university.

OAG, 1983-1984, No 6116, pp 4, 6 (January 12, 1983), concluded that a city may use repaid federal urban development grant moneys to make loans to profit-making enterprises in accordance with federal law, federal regulations, and a federal grant agreement without violating Const 1963, art 7, § 26, in view of the authorization by the Legislature to cities to participate in federal programs:

"The Michigan legislature has given municipalities broad authority to accept grants from agencies of the federal government for any governmental purpose and to enter into agreement with those agencies to effect-

to use those purposes. See 1912 PA ex sess 12; MCLA 3.541 *et seq*; MSA 4.826 *et seq*, and the urban cooperation act, 1967 PA ex sess 7; MCLA 124.501 *et seq*; MSA 5.4088(1) *et seq*.

It is noted that Const 1963, art 7, § 26, provides:

"Except as otherwise provided in this constitution, no city or village shall have the power to loan its credit for any private purpose or, except as provided by law, for any public purpose."

There is no comparable constitutional provision permitting counties to pledge their credit for a public purpose.

Although MCL 123.872(1); MSA 5.3421(1), purports to authorize counties to use federal, state, and local grants to make loans and grants to businesses, Const 1963, art 9, § 18, precludes counties from making such loans of general fund money to businesses. In addition, it is noted that MCL 123.873; MSA 5.3421(2), specifies that federal and state grant proceeds are not to be commingled with or become part of the general funds of a county or other municipality.

It is my opinion, therefore, that a county may not use its general revenues to establish and maintain a revolving loan fund to make loans to private businesses.

FRANK J. KELLEY,
Attorney General.

CONSTITUTIONAL LAW: Const 1963, art 5, § 19—veto by Governor of provisions of appropriations bills

GOVERNOR: Veto of provisions of appropriations bills

Since 1986 Enrolled SB 712, §§ 9(6), 31, and 33; 1986 Enrolled HB 5388, § 41(1); 1986 Enrolled HB 5396, § 73; and 1986 Enrolled HB 5389, § 42, set aside a definite sum or sums of public money, a veto by the Governor of the aforesaid provisions is authorized by Const 1963, art 5, § 19.

Because 1986 Enrolled SB 712, § 30, and 1986 Enrolled HB 5388, § 41(2), (3), and (4), do not set aside a definite sum or sums of public money, a veto by the Governor of the aforesaid provisions is unauthorized by Const 1963, art 5, § 19.

Opinion No. 6399

Honorable Harry Gast
State Senator
The Capitol
Lansing, Michigan

You have requested my opinion on whether the Governor, pursuant to authority vested by Const 1963, art 5, § 19, may veto specific provisions of four appropriations bills without also vetoing the expenditure line to which the

November 13, 1986.

vetoed language refers. The appropriations bills passed by the Legislature referenced in your opinion request, the public acts, and the corresponding sections vetoed by the Governor are as follows:

Bill Number	Public Act	Section(s)
SB 712	1986 PA 213	9(6), 30, 31, 33
HB 5388	1986 PA 214	41
HB 5396	1986 PA 217	73
HB 5389	1986 PA 218	42

The contents of each of the vetoed provisions will be discussed *serialim*.

1986 Enrolled SB 712

Enrolled SB 712 was enacted to make appropriations for the Department of Corrections and certain related correction purposes for the fiscal year ending September 30, 1987. In § 1, the Legislature made certain line item appropriations pertinent to your inquiry. Each has been lettered to facilitate analysis. The appropriations are:

A. "State prison of southern Michigan— 168.0 FTE positions	11,397,400"
B. "Community alternatives— 5.0 FTE positions	7,829,400"
C. "Equipment	268,700"
D. "Academic/vocational programs— 46.0 FTE positions	2,386,400"

Appropriation "A" may be found under the heading "INSTITUTIONAL CLINICAL APPROPRIATIONS," appropriation "B" under the heading "FIELD SUPERVISION," and appropriations "C" and "D" are listed under "STATE PRISON OF SOUTHERN MICHIGAN."

The Governor signed Enrolled SB 712, but vetoed §§ 9(6), 30, 31, and 33. Section 9(6) provides:

"Included in the appropriation under subsection (1) is \$20,000.00 for a grant to the Grand Rapids junior college alternatives to jail programs, modern problems and project intercept classes. [Item "B" above.] The college shall submit a quarterly report to the legislature including the capacity of each course, the average daily attendance of each course, the number of students completing each course, the number of students not completing each course, and the reason given for termination. By January 1, 1987 the college shall submit to the legislature a report outlining the course agenda."

Section 30 provides:

"Preference is to be given to local community based firms when the department has reason to expend amounts appropriated under section 1 for health care, food services, or other goods and services outside the department. [Item "A" above.] Of the estimated \$4,000,000.00 appropriated in section 1 for a secure health care unit, preference is to be given to a local community for such health care service."

It is my opinion, therefore, that the superintendent, deputy superintendent, and guards of the Detroit House of Correction may not carry a concealed weapon without first having obtained a license as provided by 1931 PA 328, § 227, *supra*.

FRANK J. KELLEY,
Attorney General.

✓ **APPROPRIATIONS: Restrictions upon appropriations**

AUDITOR GENERAL: Duty to audit a city, its agency or private nonprofit organizations

CONSTITUTIONAL LAW: Const 1963, art 4, § 24—more than one object in a law

Const 1963, art 4, § 24—notice of contents of bill in title to legislators and public

Const 1963, art 4, § 25—reenactment and republication of altered or amended law

Const 1963, art 4, § 30—appropriation of public money for local or private purpose

Const 1963, art 4, § 53—imposition of duties upon Auditor General to audit a city, its agency or private nonprofit organizations

Const 1963, art 9, § 18—utilization of state grant to purchase services as a pledge of credit

In the event the City of Detroit elects to purchase services from a private nonprofit organization for the benefit of its art institute and utilizes the state grant provided by 1983 PA 166, § 1 to pay for the same, the legislative restrictions on such grant contained in 1983 PA 166, § 31(4), requiring the execution of a written contract between the city and the private nonprofit organization specifying the services to be rendered and the amount of payment therefore do not add a second object to 1983 PA 166 contrary to Const 1963, art 4, § 24.

1983 PA 166, § 31(4), does not alter or amend any other statute contrary to Const 1963, art 4, § 25.

The appropriation of a state grant which may be utilized by a city to purchase, in behalf of its art institute, services from a private nonprofit organization is not for a local or private purpose requiring a two-thirds vote of the members elected to and serving in each house as provided in Const 1963, art 4, § 30.

The title to 1983 PA 166 satisfies the requirements of Const 1963, art 4, § 24.

The duties assigned to the Auditor General in 1983 PA 166, § 31(2), and the last sentence of § 31(4), violate Const 1963, art 4, § 53.

Const 1963, art 9, § 18 does not bar a city from contracting, in behalf of its art institute, for services to be rendered by a private nonprofit organization and utilizing a state grant to pay for the same.

Opinion No. 6225

May 7, 1984.

Honorable John M. Engler
State Senator
The Capitol
Lansing, Michigan

Honorable Jack Faxon
State Senator
The Capitol
Lansing, Michigan

You have requested my opinion relating to the appropriation to the Depart-

commissions, agencies, authorities and institutions of the state established by this constitution or by law, and performance post audits thereof.

"The auditor general upon direction by the legislature may employ independent accounting firms or legal counsel and may make investigations pertinent to the conduct of audits. He shall report annually to the legislature and to the governor and at such other times as he deems necessary or as required by the legislature. He shall be assigned no duties other than those specified in this section."

1983 PA 166 seeks to have the Auditor General, where appropriate, perform an audit of the books and records of the contracting private nonprofit organization. The basic rule of constitutional construction is the rule of common understanding. *Traverse City School Dist v Attorney General*, 384 Mich 390; 185 NW2d 9 (1971); *Council No 11, AFSCME v Civil Service Comm'n*, 408 Mich 385; 292 NW2d 442 (1980).

Const 1963, art 4, § 53 states that the Auditor General shall be assigned no other duties than those listed.

1983 PA 166, § 31(2), requires the Auditor General to audit the books and records of the City of Detroit and its agencies. The last sentence of subsection (4) of section 31 of 1983 PA 166, imposes a duty upon the Auditor General to audit the records of any private nonprofit organization under contract with the City of Detroit. Neither the City of Detroit, nor any of its agencies, nor any private nonprofit organization is either the state or a component agency of the state within the provisions of Const 1963, art 4, § 53. The Legislature may not require the Auditor General to perform post audits of a city, or of its agencies, or of private nonprofit organizations which contract with the city. The Legislature may, however, statutorily provide that another agency such as the Department of Treasury, Local Audits Division, shall perform such an audit.

Inasmuch as 1983 PA 163 makes appropriation for the Departments of Commerce, Labor, and Licensing and Regulation, it is clear that said Act would have been enacted without 1983 PA 166, § 31(2), and the last sentence of § 31(4). Since there is no indication that the Legislature intended 1983 PA 166 to be nonseverable, it is concluded that the remaining sections of 1983 PA 166 are valid. See, OAG, 1973-1974, No 4824, p 164 (July 24, 1974); OAG, 1965-1966, No 4575, p 389 (December 23, 1966); OAG, 1963-1964, No 4156, p 79 (April 11, 1963).

It is my opinion, in answer to your third question, that the duties assigned to the Auditor General in 1983 PA 166, § 31(2) and the last sentence of § 31(4), violate Const 1963, art 4, § 53.

Your fourth question is:

"Does the Michigan Constitution place any limitations upon expenditures by local units of government of state funds received through grants, direct appropriations, or revenue-sharing?"

This question inquires whether 1983 PA 166, § 31(4), offends any other provision of Const 1963.

In Const 1963, art 9, § 18, the people, in pertinent part, have provided that the credit of the state shall not be granted to, nor in aid of, any person, association or corporation, public or private, except as permitted by the con-

stitution. As noted in the Address to the People, this provision is comparable to Const 1908, art 10, § 12, save the exception which was added in Const 1963. 2 Official Record, Constitutional Convention 1961, p 3401. This limitation on the grant of credit has been held to apply with equal force to municipalities of the state. *Black Marsh Drainage District v Rowe*, 350 Mich 470; 87 NW2d 65 (1958); *Connor v Herrick*, 349 Mich 201, 211; 84 NW2d 427 (1957); *Oakland County Drain Comm'r v City of Royal Oak*, 306 Mich 124; 10 NW2d (1943).

This constitutional provision was not offended when a county or a township, pursuant to written contract, appropriated money to a private nonprofit corporation which provided services and activities to senior citizens. OAG, 1981-1982, No 5842, p 19 (January 19, 1981). See also, OAG 1977-1978, No 5402, p 714 (December 13, 1978); OAG, 1977-1978, No 5212, *supra*.

In answer to your last question, it is my opinion that use of grants made by the state to municipalities are subject to Const 1963, art 9, § 18, but this provision does not bar a municipality from contracting for services from a private nonprofit organization and utilizing state grants to pay for the same.

FRANK J. KELLEY,
Attorney General.

DRAINS AND DRAINAGE: Maintenance and repair of county drain subject to approval of affected municipal corporations

County drain commissioner—authority to maintain and repair county drain subject to approval of affected municipal corporations

The \$800.00 limitation contained in 1956 PA 40, § 196, upon the authority of a county drain commissioner to maintain and repair a county drain without approval of the affected municipal corporation or municipal corporations should be calculated by the number of miles of the drain in need of maintenance or repair.

Before maintenance and repair of a county drain may be undertaken by the county drain commissioner, the prior approval of the governing body of a township, city or village affected by more than 20% of the cost of maintaining and repairing the drain traversing the township, city or village must be secured if the cost of the maintenance or repair in any one year exceeds \$800.00 per mile of the drain in need of maintenance and repair, or 2% of the original cost of the drain and 2% of extensions thereof.

Opinion No. 6226

May 18, 1984.

Mr. Conrad Sindt
Calhoun County Prosecutor
190 East Michigan Avenue
Battle Creek, Michigan 49017

You have requested my interpretation of the Drain Code of 1956, 1956 PA 40; MCLA 280.1 *et seq*; MSA 11.1001 *et seq*, § 196, with regard to the limitations upon the expenditures to be made by the drain commissioner. 1956 PA 40, *supra*, § 196, as amended by 1982 PA 523, provides, in pertinent part:

The reimbursement requirement mandated by the Legislature in MCL 408.384a; MSA 17.255(4a) is, at best, of only peripheral concern to the purposes of the Fair Labor Standards Act. While Congress was concerned that workers receive overtime compensation, it has no interest in the ultimate source of that compensation. Further, nothing is so traditionally deeply rooted in local law as is the right of the state to choose to reimburse local governmental expenditures.

MCL 408.384a; MSA 17.255(4a) remains the law of the state. The decision of the Court in *Garcia*, *supra*, does not affect the continued validity of this statute.

It is, my opinion, therefore, that the decision in *Garcia v San Antonio Metropolitan Transit Authority* does not relieve the state of the obligation set forth in MCL 408.384a; MSA 17.255(4a), to reimburse local units of government for overtime compensation mandated by the Legislature to be paid to firefighters.

FRANK J. KELLEY,
Attorney General.

✓ CONSTITUTIONAL LAW: Const 1963, art 9, § 18 — county support of private, nonprofit hospital

COUNTIES: Payment of funds in aid of a private, nonprofit hospital

Power to contract with private, nonprofit hospital for services

The payment of public funds by a county to aid a private, nonprofit hospital violates Const 1963, art 9, § 18.

A county may enter into a contract with a private, nonprofit hospital and pay public funds in such a hospital for the contracted services if the services aid the county in the performance of its governmental functions.

Opinion No. 6431

Mark E. Luoma, Esq.
Alger County Prosecuting Attorney
Courthouse Complex
Munising, Michigan 49862

You have requested my opinion on the following question:

"Is Alger County constitutionally prohibited from using funds generated from a county-wide approved millage to support the operation of a private non-profit hospital located within the county?"

In your letter you state that on April 7, 1986, a millage proposal was submitted to the voters of the county to assess two mills over three years on all

taxable property within the county, in accordance with MCL 331.101; MSA 14.1121, to support, finance, and maintain the Munising Memorial Hospital, a private, nonprofit facility. The monies collected by the county would be turned over to the Munising Memorial Hospital, without the county acquiring anything of value in return. The millage proposal was approved by the voters.

In this connection, it is to be noted that MCL 331.101; MSA 14.1121, provides, in pertinent part, that:

"The several boards of county supervisors of this state may raise by a tax to be levied on the property of said county, subject to taxation for county purposes, a sum of money to be used for constructing or maintaining or assisting to construct or maintain any hospital or sanatorium [sic] within said county."

Const 1963, art 9, § 18, provides: "The credit of the state shall not be granted to, nor in aid of any person, association or corporation, public or private, except as authorized in this constitution." This provision is applicable to political subdivisions and instrumentalities of the state, including counties. *Oakland County Drain Comm'r v City of Royal Oak*, 306 Mich 124; 10 NW2d 435 (1943).

In *Alma v Wayne County*, 388 Mich 210, 325-326, 200 NW2d 628, 684 *reh den*, 388 Mich 626 (1972), the court discussed Const 1963, art 9, § 18, in regard to the state acquiring or transferring something of value in return for value as not being violative of the constitutional provision:

"Michigan case law interpreting Const 1963, art 9, § 18 is neither ample nor precise. It is clear the state or its subdivision the county cannot give anything away without consideration. *Detroit Museum of Art v Engel*, 187 Mich 432 (1915) (salary of employee of private museum, no consideration, no public purpose); *Youngs v Flint*, 345 Mich 576 (1956) (transfer of city park to US reserve armory) but see *contra Sommers v Flint*, 355 Mich 655, 663 (1959). See generally 15 McQuillan Municipal Corporations (3rd ed), § 39.30. Note that the constitution as far as the state and county are concerned makes no difference between a public and private purpose in this regard. When the state acquires or transfers something of value in return for value the state does not offend Const 1963, art 9, § 18. *Walluske v Detroit-Wayne Joint Building Authority*, 325 Mich 562, 583 (1949) (lease of building); *Jackson Broadcasting Television Corp v State Board of Agriculture*, 360 Mich 481, 498 (1960) (time-sharing on rental basis of studio); *Hays v Kalamazoo*, 316 Mich 443 (1947) (Michigan Municipal League membership)."

If a county provides public funds to a private, nonprofit hospital in the county and receives nothing of value in return, a political subdivision of the state is giving away something of value without consideration. Doing so would violate Const 1963, art 9, § 18.

On the other hand, OAG, 1973-1974, No 4851, p 196 (November 4, 1974), and OAG, 1977-1978, No 5212, p 199 (August 17, 1977), concluded that a municipality may enter into a contract for services with a private agency if the services contracted for aid the municipality in the performance of its governmental functions. The terms of the contract would control the manner and use of the public funds appropriated to the private entity to assure compliance with the stated governmental services sought.

The fact that the voters of the county, by approval of the ballot question, imposed the two-mill increase for the support and maintenance of the private hospital rather than by legislative action of the county board of commissioners does not alter the fact that the appropriation of public funds to a private, nonprofit hospital, without the county acquiring anything of value in return, is prohibited by Const 1963, art 9, § 18. See *Stites v Hastings*, 145 Mich 574: 108 NW 1005 (1906).

It is my opinion, therefore, that payment of public funds by a county to aid a private, nonprofit hospital violates Const 1963, art 9, § 18. It is my further opinion that a county may enter into a contract with a private, nonprofit hospital and pay public funds to such a hospital for the contracted services if the services aid the county in the performance of its governmental functions.

FRANK J. KELLEY,
Attorney General.

RETIREMENT AND

RETIREMENT SYSTEMS: Judges — service credit for judicial assistant service

A member of the Judges' Retirement System who previously was an elected state official may receive service credit upon payment of appropriate contributions for service as a Judicial Assistant to the Common Pleas Court of the City of Detroit and the Thirty-Sixth District Court.

Opinion No. 6432

April 17, 1987.

Mr. Richard L. Beers, Executive Secretary
Judges' Retirement System
Department of Management and Budget
Third Floor, General Office Building
Lansing, Michigan 48909

You have requested my opinion on the following question:

"Whether a person who previously was an elected state official and is presently a member of the Judges' Retirement System may claim service credit as a Judicial Assistant to the Common Pleas Court of Detroit and subsequently as a Judicial Assistant to the Thirty-Sixth District Court, where part of the service rendered was performed pursuant to a contract for personal services entered into with the presiding judge of the respective court?"

The letter of request has furnished the following background information:

"A judge, prior to membership in the retirement system, served as Judicial Assistant of the Common Pleas Court and the 36th District Court by appointment of the Governor for the period July, 1973 to May, 1983.

Beginning December 1, 1975 his service performed as Judicial Assistant of the Common Pleas Court (later 36th District Court) was by contractual agreement with the Court. Pursuant to 1980 PA 438 employees of the Common Pleas Court were transferred to the 36th District Court effective September 1, 1981. Act 438 allowed for the assumption of existing contracts by the State Judicial Council as of that date. This person was serving as Judicial Assistant under an existing contract and continued to do so until he was appointed circuit court judge on May 1, 1983."

The judges' retirement act, MCL 38.801 *et seq*; MSA 27.125(1) *et seq*, provides a retirement system for certain judges. MCL 38.802(6); MSA 27.125(2)(6), provides:

"'Service' means service performed as a judge. 'Service' also includes service performed in the position of constitutional court administrator, governor, lieutenant governor, secretary of state, attorney general, or legislative auditor general, or as a former elected state official who had been paid an annual state salary. In the case of the constitutional court administrator, governor, lieutenant governor, secretary of state, attorney general, or legislative auditor general, or former elected state official, it includes service rendered in any other position in state government." (Emphasis added.)

Credit for such service is subject to payment by the member into the annuity savings fund of the Judges' Retirement System of the contributions required by MCL 38.810; MSA 27.125(10).

It is noted that the Common Pleas Court of the City of Detroit was created as a court of record by the Legislature by restructuring the existing courts of the City of Detroit. MCL 728.1 *et seq*; MSA 27.3651 *et seq*. Although the Common Pleas Court was established in a city having over 250,000 inhabitants, it was created not to deal solely with municipal concerns, but as an instrumentality for the exercise of sovereign power and of interest to the whole state. *Kates v Reading*, 254 Mich 158, 166; 235 NW 881 (1931).

Judicial assistants are authorized to be appointed by the Governor upon recommendation of the judges of certain state courts of record which have ten or more judges for a term co-extensive with the term of the recommending judges. The judicial assistant shall subscribe to a constitutional oath of office. MCL 600.1481(1) and (5); MSA 27A.1481(1) and (5).

The duties of a judicial assistant are set forth in subsection (2) of MCL 600.1481; MSA 27A.1481:

"The judicial assistant, acting under the direction of the judges, shall confer with the judges upon pending matters of procedure and substantive law; conduct legal research, analyze briefs submitted and referred to the judicial assistant for comment and recommendation; study pending legislation and current decisions for their possible impact on court problems, and keep the judges and court officers advised thereon; recommend remedial legislation and draft same, and draft legislation suggested or requested by judges or court officials; act as official legal advisor to all departments of the court; represent the court, the judges or court officers in court matters arising out of their official duties in situations wherein the prosecuting attorney or attorney general has conflicting interest or responsibilities, or is otherwise disqualified; including court matters of original,

cannot be classified as a general obligation debt." *Wolper, supra*, p 215. The Supreme Court of Indiana stated simply: "If the value of property does not increase, the bonds will not be repaid." *South Bend Transportation Corp, supra*, p 221.

Given the nature of the case at bar, we cannot draw similar conclusions. The LDFA permits the municipality to make a limited tax pledge. We must assume that some municipalities will take advantage of this opportunity to back up the bonds of the authority. Indeed, at least one amicus curiae has indicated that such support is necessary to the success of tax increment bonds. Therefore, in contrast to these courts, we find that tax increment bonds, as envisioned in the LDFA, do bring into play the general taxing authority of the sponsoring municipality, and do not fit within the revenue bond exception to the definition of a loan of credit. Our conclusion does not foreclose the possibility that tax increment bonds may at some time in the future be issued as revenue bonds if the municipality is not responsible in any way for repayment of the bonds.

There is another means by which tax increment bonds might be found outside the definition of a loan of credit, as contemplated in art 9, § 18. If the state or a municipality receives value in return for what it gives away, there is no loan of credit under the constitution. We articulated this rule in *Alan*, *supra*, p 325:

✓ Michigan case law interpreting Const 1963, art 9, § 18 is neither ample nor precise. It is clear the state or its subdivision the county cannot give anything away without consideration. [Citations omitted.] Note that the constitution as far as the state and county are concerned makes no difference between a public and a private purpose in this regard. When the state acquires or transfers

something of value in return for value the state does not offend Const 1963, art 9, § 18.

Normally, "the Legislature or Executive Branch is the judge of what is fair value in matters in which it is concerned Their judgment, however, is subject to judicial review for abuse of judgment." *Id.*, p 330.

The proponents of constitutionality argue that a municipality gives nothing away by using tax increment financing because the financing is used only for the construction of "public facilities," see MCL 125.2152(k); MSA 3.640(352)(k), to which the municipality retains title. They note that such "public facilities" inure to the public's benefit.

We cannot accept this argument. In our view, the public facilities that are provided by the authority through the mechanism of tax increment financing are, at least in part, facilities that would otherwise be paid for by the levy of a special assessment on the affected property. The municipality, through its authority, is essentially giving away something of value in the hope that general economic growth will result within the district. We are hard pressed to characterize this arrangement as "value for value."

In sum, because tax increment bonds fit neither within the revenue bond exception of art 9, § 18, nor the value rule of *Alan*, we hold that, as envisioned in the LDFA, such bonds do constitute a loan of credit to which the proscription of art 9, § 18 applies.

The next question under art 9, § 18 is whether the bonds in question amount to a loan of the state's credit. If it is the state's credit that is involved, then the exception of art 7, § 26 does not apply. Some of the opponents of the LDFA maintain that the pledging of future tax levies under the act

Art. 9, § 16**MICHIGAN CONSTITUTION****§ 16. State loans to school districts****Notes of Decisions****2. In general**

Superintendent of Public Instruction may not issue a certificate of qualification for school

bond loan fund purposes under this section, for limited tax bonds proposed to be issued by a school district. Op.Atty.Gen.1989, No. 6587, p. —

§ 17. Payments from state treasury**Notes of Decisions****Judgments 9****2. Appropriations**

Const.1963, art. 4, § 31, and art. 9, § 17, prohibit the Legislature from delegating the authority to appropriate funds to the state budget director and the Senate and House appropriations committees. Op.Atty.Gen. 1989, No. 6603, p. —.

9. Judgments

Entry of money judgment for cities against State pursuant to statute requiring State to re-

imburse cities for all additional costs imposed upon them by statute for overtime payments to fire fighters would not unconstitutionally interfere with appropriation processes and result in violation of separation of powers doctrine, since the cities were not seeking to compel legislature to appropriate monies, but were merely requesting money judgment which could then be enforced pursuant to Court of Claims Act and since such enforcement mechanism would in no way compel an appropriation or payment of unappropriated funds. City of Adrian v. Michigan (1984) 362 N.W.2d 708, 420 Mich. 554.

§ 18. State credit**Notes of Decisions****Finder's fee 20**

governmental functions. Op.Atty.Gen.1987, No. 6431, p. 60.

1. In general

This section prohibiting lending of credit and investing in stock of corporation by state is violated only when state creates obligation that is legally enforceable against it for benefit of another, not where state acquires or transfers something of value. Petrus v. Dickinson County Bd. of Com'rs (1990) 457 N.W.2d 359, 184 Mich. App. 282, appeal denied.

Payment of public funds by a county to aid a private, nonprofit hospital violates Const. Art. 9, § 18, which provides that the "credit of the state shall not be granted to, nor in aid of any person, association or corporation, public or private, except as authorized in this Constitution." Op. Atty.Gen.1987, No. 6431, p. 60.

A county may not use its general revenues to establish and maintain a revolving loan fund to make loans to private businesses. Op.Atty.Gen. 1986, No. 6398, p. 400.

2. Municipalities

This section's prohibition against state lending its credit applies to local governments as political subdivisions and instrumentalities of state. In re Request for Advisory Opinion on Constitutionality of 1986 PA 281 (1988) 422 N.W.2d 186, 430 Mich. 93.

14. Bonds

Tax increment bonds constituted loan of credit, within meaning of this section's prohibition against state lending its credit, where M.C.L.A. § 125.2164 authorizing issuance of bond permitted municipalities to make limited tax pledges in order to back bonds. In re Request for Advisory Opinion on Constitutionality of 1986 PA 281 (1988) 422 N.W.2d 186, 430 Mich. 93.

3. Counties

This section's prohibition against state lending its credit applies to local governments as political subdivisions and instrumentalities of state. In re Request for Advisory Opinion on Constitutionality of 1986 PA 281 (1988) 422 N.W.2d 186, 430 Mich. 93.

A county may enter into a contract with a private, nonprofit hospital and pay public funds to such hospital for the contracted services if the services aid the county in the performance of its

20. Finder's fee

Neither a county nor other local units of government may pay a "finder's fee" comprised of a percentage of certain taxes on new commercial and economic construction in the county to a private nonprofit corporation engaging in economic development activities in the county in the absence of receipt of sufficient value from the corporation without violating this section. Op. Atty.Gen.1989, No. 6563, p. —.